

SENATE FILE 429  
BY LIND

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act providing scheduled fines for certain violations of  
2 snowmobile regulations, game and fish regulations, and parks.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 429

1 Section 1. Section 805.8, subsection 4, paragraph a, Code  
2 1989, is amended to read as follows:

3 a. For registration ~~and-identification~~ violations under  
4 sections section 321G.3 and-321G-5, the scheduled fine is five  
5 twenty dollars.

6 Sec. 2. Section 805.8, subsection 4, Code 1989, is amended  
7 by adding the following new paragraph:

8 NEW PARAGRAPH. e. For identification violations under  
9 section 321G.5, the scheduled fine is ten dollars.

10 Sec. 3. Section 805.8, subsection 5, Code 1989, is amended  
11 by striking the subsection and inserting in lieu thereof the  
12 following:

13 5. Fish and game law violations.

14 a. For violations of section 110B.2, the scheduled fine is  
15 ten dollars.

16 b. For violations of sections 109.54, 109.69, 109.71,  
17 109.72, 109.122, 109B.6, 110.3, 110.6, 110.19, and 110.27, the  
18 scheduled fine is twenty dollars.

19 c. For violations of sections 109.6, 109.21, 109.22,  
20 109.24, 109.26, 109.50, 109.56, 109.60 through 109.62, 109.82,  
21 109.83, 109.84, 109.92, 109.123, 109B.7, 110.7, 110.8, 110.23,  
22 and 110.24, the scheduled fine is twenty-five dollars.

23 d. For violations of sections 109.7, 109.47, 109.52,  
24 109.53, 109.55, 109.58, 109.63, 109.64, 109.76, 109.81,  
25 109.90, 109.91, 109.97, 109.126, 109B.8, and 110.37, the  
26 scheduled fine is fifty dollars.

27 e. For violations of sections 109.85, 109.93, 109.95,  
28 109.120, 109A.5, 109B.3, and 109B.9, the scheduled fine is one  
29 hundred dollars.

30 f. For violations of section 109.38 relating to the  
31 taking, pursuing, killing, trapping or ensnaring, buying,  
32 selling, possessing, or transporting any game, protected  
33 nongame animals, furbearing animals, or fur or skin of the  
34 animals, mussels, frogs, or fish or part of them, the  
35 scheduled fines are as follows:

1 (1) For deer or turkey, the scheduled fine is one hundred  
2 dollars.

3 (2) For protected nongame, the scheduled fine is one  
4 hundred dollars.

5 (3) For mussels, frogs, spawn, or fish, the scheduled fine  
6 is twenty-five dollars.

7 (4) Other game, the scheduled fine is fifty dollars.

8 (5) For furbearing animals, the scheduled fine is seventy-  
9 five dollars.

10 g. For violations of section 109.38 relating to an attempt  
11 to take, pursue, kill, trap, buy, sell, possess, or transport  
12 any game, protected nongame animals, furbearing animals, or  
13 fur or skin of the animals, mussels, frogs, or fish or part of  
14 them, the scheduled fines are as follows:

15 (1) For game or furbearing animals, the scheduled fine is  
16 fifty dollars.

17 (2) For protected nongame, the scheduled fine is fifty  
18 dollars.

19 (3) For mussels, frogs, spawn, or fish, the scheduled fine  
20 is ten dollars.

21 h. For violations of section 109.48 relating to  
22 restrictions on game birds and animals, the scheduled fines  
23 are as follows:

24 (1) Out-of-season, the scheduled fine is one hundred  
25 dollars.

26 (2) Over limit, the scheduled fine is one hundred dollars.

27 (3) Attempt to take, the scheduled fine is fifty dollars.

28 (4) General waterfowl restrictions, the scheduled fine is  
29 fifty dollars.

30 (a) No federal stamp, the scheduled fine is fifty dollars.

31 (b) Unplugged shotgun, the scheduled fine is ten dollars.

32 (c) Possession of other than steel shot, the scheduled  
33 fine is twenty-five dollars.

34 (d) Early or late shooting, the scheduled fine is twenty-  
35 five dollars.

1 i. For violations of section 109.67 relating to general  
2 violations of fishing laws, the scheduled fine is twenty-five  
3 dollars.

4 (1) For over limit catch, the scheduled fine is thirty  
5 dollars.

6 (2) For under minimum length or weight, the scheduled fine  
7 is twenty dollars.

8 (3) For out-of-season fishing, the scheduled fine is fifty  
9 dollars.

10 j. For violations of section 109.73 relating to trotlines  
11 and throwlines:

12 (1) For trotline or throwline violations in legal waters,  
13 the scheduled fine is twenty-five dollars.

14 (2) For trotline or throwline violations in illegal  
15 waters, the scheduled fine is fifty dollars.

16 k. For violations of section 109.80 relating to minnows:

17 (1) For general minnow violations, the scheduled fine is  
18 twenty-five dollars.

19 (2) For commercial purposes, the scheduled fine is fifty  
20 dollars.

21 l. For violations of section 109.87 relating to the taking  
22 or possessing of furbearing animals out of season:

23 (1) For red fox, gray fox, or mink, the scheduled fine is  
24 one hundred dollars.

25 (2) For all other furbearers, the scheduled fine is fifty  
26 dollars.

27 m. For violations of section 109B.4 relating to gear tags:

28 (1) For commercial license violations, the scheduled fine  
29 is one hundred dollars.

30 (2) For no gear tags, the scheduled fine is twenty-five  
31 dollars.

32 n. For violations of section 109B.11 relating to turtles:

33 (1) For commercial turtle violations, the scheduled fine  
34 is one hundred dollars.

35 (2) For sport turtle violations, the scheduled fine is

1 fifty dollars.

2 o. For violations of section 109B.12 relating to mussels:

3 (1) For commercial mussel violations, the scheduled fine  
4 is one hundred dollars.

5 (2) For sport mussel violations, the scheduled fine is  
6 fifty dollars.

7 p. For violations of section 110.1 relating to licenses  
8 and permits, the scheduled fines are as follows:

9 (1) For a license or permit costing ten dollars or less,  
10 the scheduled fine is twenty dollars.

11 (2) For a license or permit costing more than ten dollars  
12 but not more than twenty dollars, the scheduled fine is thirty  
13 dollars.

14 (3) For a license or permit costing more than twenty  
15 dollars but not more than forty dollars, the scheduled fine is  
16 fifty dollars.

17 (4) For a license or permit costing more than forty  
18 dollars but not more than fifty dollars, the scheduled fine is  
19 seventy dollars.

20 (5) For a license or permit costing more than fifty  
21 dollars, the scheduled fine is one hundred dollars.

22 q. For violations of section 110.26 relating to false  
23 claims for licenses:

24 (1) For making a false claim for a license by a resident,  
25 the scheduled fine is fifty dollars.

26 (2) For making a false claim for a license by a  
27 nonresident, the scheduled fine is one hundred dollars.

28 r. For violations of section 110.36 relating to the  
29 conveyance of guns:

30 (1) For conveying an assembled, unloaded gun, the  
31 scheduled fine is twenty-five dollars.

32 (2) For conveying a loaded gun, the scheduled fine is  
33 fifty dollars.

34 Sec. 4. Section 805.8, subsection 6, Code 1989, is amended  
35 by adding the following new paragraphs:

1 NEW PARAGRAPH. c. For violations of section 111.44, the  
2 scheduled fine is fifty dollars.

3 NEW PARAGRAPH. d. For violations of section 111.48, the  
4 scheduled fine is twenty-five dollars.

5 Sec. 5. Section 109.6, Code 1989, is amended to read as  
6 follows:

7 109.6 GAME MANAGEMENT AREA.

8 The commission may establish a game management area upon  
9 any public lands or waters, or with the consent of the owner  
10 thereof upon any private lands or waters, when necessary to  
11 maintain a biological balance as provided in section 109.39 or  
12 to provide for public hunting, fishing, or trapping in  
13 conformity with sound wildlife management; and when a game  
14 management area is established, the commission shall with the  
15 consent of such the owner, if any, have the right to post and  
16 prohibit, and to regulate or limit such the lands or waters  
17 against trespassing, hunting, fishing, or trapping, and any  
18 violation thereof ~~shall be~~ of the regulations is unlawful and  
19 ~~punishable as provided in section 109.32.~~

20 Sec. 6. Section 109.22, unnumbered paragraph 7, Code 1989,  
21 is amended by striking the unnumbered paragraph.

22 Sec. 7. Section 110.26, Code 1989, is amended to read as  
23 follows:

24 110.26 FALSE CLAIMS.

25 A nonresident shall not obtain a resident license by  
26 falsely claiming residency in the state. The presumptions and  
27 provisions of section 321.1A, relating to residency ~~shall~~  
28 apply to licenses under this chapter. The use of a license by  
29 a person other than the person to whom the license is issued  
30 is unlawful and ~~shall nullify~~ nullifies the license. A  
31 ~~resident or nonresident who violates this section is guilty of~~  
32 ~~a simple misdemeanor.~~

33 EXPLANATION

34 This bill provides scheduled fines for violations of many  
35 provisions of chapters 109, 109A, 109B, 110, 111, and 321G.

1 These chapters relate to game and fish laws, parks, and  
2 snowmobile regulations. The scheduled violation and fine  
3 procedures will be used in lieu of procedures used for other  
4 simple misdemeanor prosecutions. The fines are in addition to  
5 court costs and surcharges which are added to most scheduled  
6 fines.

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