

## FISHING AND HUNTING LICENSES, CONTRABAND, AND GUNS

### Footnotes

This chapter not enacted as a part of this title;  
transferred from chapter 110 in Code 1993  
See §481A.134 and 481A.135 for point system and additional  
penalties

### 483A.1 Licenses fees.

Except as otherwise provided in this chapter, a person shall not fish, trap, hunt, pursue, catch, kill, take in any manner, use, have possession of, sell, or transport all or a part of any wild animal, bird, game, or fish, the protection and regulation of which is desirable for the conservation of resources of the state, without first obtaining a license for that purpose and the payment of a fee as follows:

#### 1. Residents:

- a. Fishing license ..... \$ 17.00
- b. Fishing license, lifetime, sixty-five years or older ..... \$ 50.50
- c. Hunting license ..... \$ 17.00
- d. Hunting license, lifetime, sixty-five years or older ..... \$ 50.50
- e. Deer hunting license ..... \$ 25.50
- f. Wild turkey hunting license ..... \$ 22.50
- g. Fur harvester license, sixteen years or older ..... \$ 20.50
- h. Fur harvester license, under sixteen years of age ..... \$ 5.50
- i. Fur dealer license ..... \$225.50
- j. Aquaculture unit license ..... \$ 25.50
- k. Retail bait dealer license ..... \$ 30.50
- l. Fishing license, seven-day ..... \$ 11.50
- m. Trout fishing fee ..... \$ 10.50
- n. Game breeder license ..... \$ 15.50
- o. Taxidermy license ..... \$ 15.50
- p. Falconry license ..... \$ 20.50
- q. Wildlife habitat fee ..... \$ 8.00
- r. Migratory game bird fee ..... \$ 8.00

- s. Fishing license, one-day ..... \$ 7.50
- t. Wholesale bait dealer license ..... \$125.00
- 2. Nonresidents:
  - a. Fishing license, annual ..... \$ 39.00
  - b. Fishing license, seven-day ..... \$ 30.00
  - c. Hunting license, eighteen years of age or older ..... \$ 80.00
  - d. Hunting license, under eighteen years of age ..... \$ 30.00
  - e. Deer hunting license, antlered or any sex deer ..... \$220.00
  - f. Deer hunting license, antlerless deer only ..... \$150.00
  - g. Wild turkey hunting license ..... \$100.00
  - h. Fur harvester license ..... \$200.00
  - i. Fur dealer license ..... \$501.00
  - j. Location permit for fur dealers \$ 56.00
  - k. Aquaculture unit license ..... \$ 56.00
  - l. Retail bait dealer license ..... \$125.00 or the amount for the same type of license in the nonresident's state, whichever is greater
  - m. Trout fishing fee ..... \$ 13.00
  - n. Game breeder license ..... \$ 26.00
  - o. Taxidermy license ..... \$ 26.00
  - p. Falconry license ..... \$ 26.00
  - q. Wildlife habitat fee ..... \$ 8.00
  - r. Migratory game bird fee ..... \$ 8.00
  - s. Fishing license, three-day ..... \$ 15.50
  - t. Wholesale bait dealer license ..... \$250.00 or the amount for the same type of license in the nonresident's state, whichever is greater
  - u. Fishing license, one-day ..... \$ 8.50

[S13, § 2563-a2, -o, -p; SS15, § 2547-a, 2562-b, 2563-a1; C24, § 1706, 1718, 1719, 1748, 1752, 1756, 1779; C27, § 1706, 1718, 1719, 1719-a1, 1748, 1752, 1756, 1779; C31, § 1706, 1718, 1718-c1, 1719, 1719-a1,

1748, 1752, 1756, 1766-c3, 1779; C35, § 1794-e1; C39, § **1794.082**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, § 110.1]

84 Acts, ch 1199, § 2; 84 Acts, ch 1260, § 2; 86 Acts, ch 1114, § 1; 86 Acts, ch 1141, § 17; 86 Acts, ch 1240, § 1; 89 Acts, ch 90, § 2; 89 Acts, ch 237, § 1; 89 Acts, ch 238, § 1; 91 Acts, ch 237, § 3; 92 Acts, ch 1216, § 10, 11

C93, § 483A.1

95 Acts, ch 12, § 1; 95 Acts, ch 46, § 2; 98 Acts, ch 1199, §5, 27; 98 Acts, ch 1223, §30; 2001 Acts, ch 137, §5; 2001 Acts, ch 148, §13, 9; 2002 Acts, ch 1141, §1; 2003 Acts, ch 120, § 14, 6; 2003 Acts, ch 152, § 13, 6

## **Footnotes**

Commercial fishing licenses, see § 482.4

For applicable scheduled fines, see §805.8B, subsection 3, paragraph p

2003 amendments to subsection 1, paragraphs a, l, and s and to subsection 2, paragraphs a, b, and s, and the addition of new paragraph u to subsection 2 take effect December 15, 2003, and apply to licenses and fees for years beginning on or after January 1, 2004; 2003 Acts, ch 152, §6

### **483A.1A Definitions.**

As used in this chapter unless the context otherwise requires:

1. "*Commission*" means the natural resource commission.
2. "*Department*" means the department of natural resources created under section 455A.2.
3. "*Director*" means the director of the department.
4. "*License*" means a privilege granted by the commission to fish, hunt, fur harvest, pursue, catch, kill, take in any manner, use, have possession of, sell, or transport all or part of a wild animal, bird, game, or fish, including any privilege related to a license granted by issuance of a stamp or a payment of a fee.
5. "*License agent*" means an individual, business, or governmental agency authorized to sell a license.
6. "*License document*" means an authorization, certificate, or permit issued by the department or a license agent that lists and confers one or more license privileges.
7. "*Resident*" means a natural person who meets any of the following criteria:
  - a. Has physically resided in this state at least thirty consecutive days immediately before applying for or purchasing a resident license under this chapter and has been issued an Iowa driver's license or an Iowa nonoperator's identification card.
  - b. Is a full-time student at an educational institution located in this state and resides in this state while attending the educational institution. A student qualifies as a resident pursuant to this paragraph only for the

purpose of purchasing any resident license specified in section 483A.1 or 484A.2.

c. Is a nonresident under eighteen years of age whose parent is a resident of this state.

d. Is a member of the armed forces of the United States who is serving on active duty, claims residency in this state, and has filed a state individual income tax return as a resident pursuant to chapter 422, division II, for the preceding tax year, or is stationed in this state.

e. Is registered to vote in this state.

86 Acts, ch 1245, § 1858

C87, § 110.1A

C93, § 483A.1A

95 Acts, ch 76, § 1; 2000 Acts, ch 1116, §35; 2000 Acts, ch 1175, §1, 2; 2001 Acts, ch 134, §3; 2003 Acts, ch 37, §1

### **483A.2 Dual residency.**

A resident license shall be limited to persons who do not claim any resident privileges, except as defined in section 483A.1A, subsection 7, paragraphs "b", "c", and "d", in another state or country. A person shall not purchase or apply for any resident license or permit if that person has claimed residency in any other state or country.

2000 Acts, ch 1116, §6

### **483A.3 Wildlife habitat fee.**

1. A resident or nonresident person required to have a hunting or fur harvester license shall not hunt or trap unless the person has paid the wildlife habitat fee. This section shall not apply to residents who have permanent disabilities or who are younger than sixteen or older than sixty-five years of age. Wildlife habitat fees shall be administered in the same manner as hunting and fur harvester licenses except all revenue derived from wildlife habitat fees shall be used within the state of Iowa for habitat development and shall be deposited in the state fish and game protection fund, except as provided in subsection 2. The revenue may be used for the matching of federal funds. The revenues and any matched federal funds shall be used for acquisition of land, leasing of land, or obtaining of easements from willing sellers for use as wildlife habitats. Notwithstanding the exemption provided by section 427.1, any land acquired with the revenues and matched federal funds shall be subject to the full consolidated levy of property taxes which shall be paid from those revenues. In addition the revenue may be used for the development and enhancement of wildlife lands and habitat areas. Not less than fifty percent of all revenue from wildlife habitat fees shall be used by the commission to enter into agreements with county conservation boards or other public agencies in order to carry out the purposes of this section. The state share of funding of those agreements provided by the revenue from wildlife habitat fees shall not exceed seventy-five percent.

2. Up to sixty percent of the revenues from wildlife habitat fees which are not required under subsection 1 to be used by the commission to enter into agreements with county conservation boards or other public agencies may be credited to the wildlife habitat bond fund as provided in section 483A.53.

[C79, 81, § 110.3]

84 Acts, ch 1260, § 3; 86 Acts, ch 1114, § 2; 86 Acts, ch 1231, § 1

C93, § 483A.3

96 Acts, ch 1129, § 98; 98 Acts, ch 1199, §6, 27; 98 Acts, ch 1223, §30

### **Footnotes**

For applicable scheduled fines, see §805.8B, subsection 3, paragraph b

### **483A.3A Fish habitat development funding.**

Three dollars from each resident and nonresident annual and seven-day fishing license sold shall be deposited in the state fish and game protection fund and shall be used within this state for fish habitat development. Not less than fifty percent of this amount shall be used by the commission to enter into agreements with county conservation boards to carry out the purposes of this section.

2001 Acts, ch 148, §4, 9; 2003 Acts, ch 152, §4, 6

2003 strike and rewrite of section takes effect December 15, 2003, and applies to licenses and fees for years beginning on or after January 1, 2004; 2003 Acts, ch 152, §6

### **483A.4 "Permanent disability" defined.**

For the purpose of obtaining a license, a person has a permanent disability if any of the following apply:

1. The person has been found under the provisions of the federal Social Security Act, Title II, or any other public or private pension system to have a total, permanent physical or mental condition which prevents that person from engaging in the person's occupation or qualifies that person for retirement.
2. The person has a severe physical disability and has qualified for a special license under section 483A.24.

[C79, 81, § 110.4]

84 Acts, ch 1260, § 4

C93, § 483A.4

96 Acts, ch 1129, § 99

### **483A.5 License for fur-bearing animals.**

A fur harvester license is required to hunt and to trap any fur-bearing animal. A hunting license is not required when hunting furbearers with a fur harvester license. However, coyote and groundhog may be hunted with a hunting or a fur harvester license.

84 Acts, ch 1260, § 12

C85, § 110.5

85 Acts, ch 10, § 2; 86 Acts, ch 1114, § 3

C93, § 483A.5

98 Acts, ch 1199, §7, 27; 98 Acts, ch 1223, §30

#### **483A.6 Trout fishing fee.**

Any person required to have a fishing license shall not fish for or possess trout unless that person has paid the trout fishing fee. The proceeds from the fee shall be used exclusively for the trout program designated by the commission. The commission may grant a permit to a community event in which trout will be stocked in water which is not designated trout water and a person may catch and possess trout during the period and from the water covered by the permit without having paid the trout fishing fee.

[C62, 66, 71, 73, 75, 77, § 110.1; C79, 81, § 110.6]

86 Acts, ch 1240, § 2; 86 Acts, ch 1245, § 1877

C93, § 483A.6

98 Acts, ch 1199, §8, 27; 98 Acts, ch 1223, §30; 2003 Acts, ch 152, §5, 6

#### **Footnotes**

For applicable scheduled fine, see §805.8B, subsection 3, paragraph b

2003 amendment takes effect December 15, 2003, and applies to licenses and fees for years beginning on or after January 1, 2004; 2003 Acts, ch 152, § 6

#### **483A.7 Wild turkey license and tag.**

1. A resident hunting wild turkey who is required to have a license must have a resident hunting license in addition to the wild turkey hunting license and must pay the wildlife habitat fee. Upon application and payment of the required fees for archery-only licenses, a resident archer shall be issued two wild turkey licenses for the spring season.
2. The wild turkey hunting license shall be accompanied by a tag designed to be used only once. If a wild turkey is taken, the wild turkey shall be tagged and the tag shall be dated.
3. A nonresident wild turkey hunter is required to have a nonresident hunting license and a nonresident wild turkey hunting license and pay the wildlife habitat fee. The commission shall annually limit to two thousand three hundred licenses the number of nonresidents allowed to have wild turkey hunting licenses. Of the two thousand three hundred licenses, one hundred fifty licenses shall be valid for hunting with muzzle loading shotguns only. The commission shall allocate the nonresident wild turkey hunting licenses issued among the zones based on the populations of wild turkey. A nonresident applying for a wild turkey hunting license must exhibit proof of having successfully completed a hunter safety and ethics education program as provided in section 483A.27 or its equivalent as determined by the department before the license is issued.

86 Acts, ch 1240, § 3

C87, § 110.7

89 Acts, ch 237, §2; 90 Acts, ch 1003, § 1

94 Acts, ch 1111, §1; 98 Acts, ch 1199, §9, 27; 98 Acts, ch 1223, §30; 2001 Acts, ch 134, §4; 2001 Acts, ch 148, §5, 9; 2002 Acts, ch 1119, §63

### **Footnotes**

For applicable scheduled fines, see §805.8B, subsection 3, paragraph c

### **483A.8 Deer license and tag.**

1. A resident hunting deer who is required to have a hunting license must have a resident hunting license in addition to the deer hunting license and must pay the wildlife habitat fee.
2. The deer hunting license shall be accompanied by a tag designed to be used only once. When a deer is taken, the deer shall be tagged and the tag shall be dated.
3. A nonresident hunting deer is required to have a nonresident hunting license and a nonresident deer license and must pay the wildlife habitat fee. The commission shall annually limit to eight thousand five hundred licenses the number of nonresidents allowed to have deer hunting licenses. Of the first six thousand nonresident deer licenses issued, not more than thirty-five percent of the licenses shall be bow season licenses and, after the first six thousand nonresident deer licenses have been issued, all additional licenses shall be issued for antlerless deer only. The commission shall allocate the nonresident deer hunting licenses issued among the zones based on the populations of deer. However, a nonresident applicant may request one or more hunting zones, in order of preference, in which the applicant wishes to hunt. If the request cannot be fulfilled, the applicable fees shall be returned to the applicant. A nonresident applying for a deer hunting license must exhibit proof of having successfully completed a hunter safety and ethics education program as provided in section 483A.27 or its equivalent as determined by the department before the license is issued.
4. The commission may provide, by rule, for the issuance of an additional antlerless deer license to a person who has been issued an antlerless deer license. The rules shall specify the number of additional antlerless deer licenses which may be issued, and the season and zone in which the license is valid. The fee for an additional antlerless deer license shall be ten dollars for residents.
5. A nonresident owning land in this state may apply for one of the first six thousand nonresident deer licenses not limited to antlerless deer, and the provisions of subsection 3 shall apply. However, if a nonresident owning land in this state is unsuccessful in obtaining one of the first six thousand nonresident deer licenses, the landowner shall be given preference for one of the two thousand five hundred antlerless only nonresident deer licenses. A nonresident owning land in this state shall pay the fee for a nonresident antlerless only deer license and the license shall be valid to hunt on the nonresident's land only. A nonresident owning land in this state is eligible for only one nonresident deer license annually. If one or more parcels of land have multiple nonresident owners, only one of the nonresident owners is eligible for a nonresident antlerless only deer license. If a nonresident jointly owns land in this state with a resident, the nonresident shall not be given preference for a nonresident antlerless only deer license. The department may require proof of land ownership from a nonresident landowner applying for a nonresident antlerless only deer license.
6. The commission shall provide by rule for the issuance to a nonresident of a nonresident antlerless deer hunting license that is valid for use only during the period beginning on December 24, 2003, and ending at sunset on January 2, 2004, and costs fifty dollars. A nonresident hunting deer with a license issued under this subsection shall be otherwise qualified to hunt deer in this state and shall have a nonresident hunting license and pay the wildlife habitat fee. Pursuant to this subsection, the commission shall make available for issuance

only the remaining nonresident antlerless deer hunting licenses allocated under subsection 3 that have not yet been issued for the 20032004 antlerless deer hunting seasons.

[C79, 81, § 110.8]

86 Acts, ch 1240, § 4; 89 Acts, ch 237, §3; 90 Acts, ch 1003, §2

C93, § 483A.8

94 Acts, ch 1111, §2; 98 Acts, ch 1199, §10, 27; 98 Acts, ch 1203, §57; 98 Acts, ch 1223, §2830; 2001 Acts, ch 134, §5; 2001 Acts, ch 148, §6, 7, 9; 2002 Acts, ch 1119, §64; 2003 Acts, ch 85, §1

### **Footnotes**

For applicable scheduled fines, see §805.8B, subsection 3, paragraph c

### **483A.9 Blanks.**

The director shall provide blanks for, and determine the method, means, and requirements of issuing licenses including the issuance of licenses by electronic means.

[S13, § 2563-a3; C24, 27, 31, § 1722; C35, § 1794-e2; C39, § **1794.083**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, § 110.2; C79, 81, § 110.9]

86 Acts, ch 1245, § 1878

C93, § 483A.9

98 Acts, ch 1199, §11, 27; 98 Acts, ch 1223, §30

### **483A.10 Issuance of licenses.**

The licenses issued pursuant to this chapter shall be issued by the department or the license agents as specified by rules of the commission. A county recorder may issue licenses subject to the rules of the commission. The rules shall include the application procedures as necessary. The licenses shall show the total cost of the license including a writing fee to be retained by the license agent and any administrative fees to be forwarded to the department, if applicable. A person authorized to issue a license or collect a fee pursuant to this chapter or chapter 484A shall charge the fee specified in this chapter or chapter 484A only plus a writing fee and administrative fee, if applicable.

[SS15, § 2563-a4; C24, 27, 31, § 1724; C35, § 1794-e3; C39, § **1794.084**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, § 110.3; C79, 81, § 110.10]

84 Acts, ch 1260, § 5

C93, § 483A.10

98 Acts, ch 1199, §12, 27; 98 Acts, ch 1223, §30; 2000 Acts, ch 1019, §3; 2001 Acts, ch 134, §6

### **483A.11 License agents.**

The director may designate license agents for the sale of licenses, but in so doing the interest of the state shall

be fully protected.

[C31, § 1724-c1; C35, § 1794-e4; C39, § **1794.085**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, § 110.4; C79, 81, § 110.11]

84 Acts, ch 1260, § 6

C93, § 483A.11

98 Acts, ch 1199, §13, 27; 98 Acts, ch 1223, §30; 2001 Acts, ch 134, §7

#### **483A.12 Fees.**

The license agent shall be responsible for all fees for the issuance of hunting, fishing, and fur harvester licenses sold by the license agent. All unused license blanks shall be surrendered to the department upon the department's demand.

A license agent shall retain a writing fee of fifty cents from the sale of each license except that the writing fee for a free deer or wild turkey license as authorized under section 483A.24, subsection 2, shall be one dollar. If a county recorder is a license agent, the writing fees retained by the county recorder shall be deposited in the general fund of the county.

[C31, § 1724-c1; C35, § 1794-e5; C39, § **1794.086**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, § 110.5; C79, 81, § 110.12]

83 Acts, ch 123, § 56, 209; 84 Acts, ch 1260, § 7

C93, § 483A.12

98 Acts, ch 1199, §14, 27; 98 Acts, ch 1223, §30; 2001 Acts, ch 134, §8

#### **483A.13 Destroyed blanks.**

When license blanks in the possession of a license agent are accidentally destroyed, the holder of the blanks shall only be relieved from accountability upon the presentation of satisfactory explanation and the filing of a bond to the director that the blanks have actually been so destroyed. The commission may determine by rule what shall constitute a satisfactory explanation of the occurrence.

[C35, § 1794-e6; C39, § **1794.087**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, § 110.6; C79, 81, § 110.13]

C93, § 483A.13

2001 Acts, ch 134, §9

#### **483A.14 Duplicate licenses and permits.**

When any license for which a fee has been set has been lost, destroyed, or stolen, the director or a license agent may issue a replacement license, if evidence is available to demonstrate issuance of the original license and a fee of two dollars is paid, to be placed in the fish and game protection fund. If, on examination of the evidence, the director or the license agent, as the case may be, is satisfied that the license has been lost, destroyed, or stolen, the director or the license agent shall issue a duplicate license which shall be plainly marked "duplicate" and the duplicate shall serve in lieu of the original license and it shall contain the same information and signature as the original. The license agent shall charge a writing fee of one dollar and the

departmental administrative fee for each duplicate license issued pursuant to this section. The license agent shall retain the writing fee.

[C39, § **1794.088**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, § 110.7; C79, 81, § 110.14]

C93, § 483A.14

98 Acts, ch 1199, §15, 27; 98 Acts, ch 1223, §30; 2001 Acts, ch 134, §10

#### **483A.15 Accounting.**

The director shall establish, by rule, specific requirements for remittance of funds, and the necessary accounting and reporting for all types of licenses issued based on the manner and location of the issuance.

[SS15, § 2563-a4; C24, 27, 31, § 1725; C35, § 1794-e7; C39, § **1794.089**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, § 110.8; C79, 81, § 110.15]

C93, § 483A.15

98 Acts, ch 1199, §16, 27; 98 Acts, ch 1223, §30

**483A.16 Duplicate issuance.** Repealed by 98 Acts, ch 1199, §26, 27; 98 Acts, ch 1223, §30.

#### **483A.17 Tenure of license.**

Every license, except as otherwise provided in this chapter, is valid from the date issued to January 10 of the succeeding calendar year for which it is issued. A license shall not be issued prior to December 15 for the subsequent calendar year.

[S13, §2563-a8; C24, 27, 31, §1727; C35, § 1794-e9; C39, § **1794.091**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, § 110.10; C79, 81, § 110.17]

84 Acts, ch 1260, §8

C93, §483A.17

95 Acts, ch 46, §3; 2001 Acts, ch 134, §11

#### **483A.18 Form of licenses.**

All hunting, fishing, and fur harvester licenses shall contain a general description of the licensee. Such licenses shall be upon such forms as the commission shall adopt. The address and the signature of the applicant and all signatures and other writing shall be in ink. All licenses shall clearly indicate the nature of the privilege granted.

[S13, § 2563-a3, -a8; C24, 27, 31, § 1722, 1727; C35, § 1794-e10; C39, § **1794.092**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, § 110.11; C79, 81, § 110.18]

84 Acts, ch 1260, § 9

C93, § 483A.18

#### **483A.19 Showing license document to officer.**

Every person shall, while fishing, hunting, or fur harvesting, show the person's license document to any peace officer or the owner or person in lawful control of the land or water upon which licensee may be hunting, fishing, or fur harvesting when requested by the persons to do so. Any failure to so carry or refusal to show or so exhibit the person's license document shall be a violation of this chapter. However, except for possession and exhibition of deer licenses and tags or wild turkey licenses and tags, a person charged with violating this section shall not be convicted if the person produces in court, within a reasonable time, a license document for hunting, fishing, or fur harvesting issued to that person and valid when the person was charged with a violation of this section.

[C39, § 1794.093; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, § 110.12; C79, 81, § 110.19]

C93, § 483A.19

96 Acts, ch 1034, § 46; 98 Acts, ch 1199, §17, 27; 98 Acts, ch 1223, §30; 2001 Acts, ch 134, §12

### **Footnotes**

For applicable scheduled fines, see §805.8B, subsection 3, paragraph b

#### **483A.20 Reciprocity.**

Licenses for bait dealers or for fishing, hunting, or fur harvesting shall not be issued to residents of states that do not sell similar licenses or certificates to residents of Iowa. However, this requirement is not applicable to the licensing of nonresident wholesale bait dealers who sell to licensed wholesale bait dealers in Iowa for resale.

86 Acts, ch 1141, § 16

C87, § 110.20

C93, § 483A.20

96 Acts, ch 1034, § 47; 2003 Acts, ch 120, §5, 6; 2004 Acts, ch 1105, §1, 2

#### **483A.21 Revocation or suspension.**

Upon the conviction of a licensee of any violation of chapter 481A, or of this chapter, or of any administrative order adopted and published by the commission, the magistrate may, as a part of the judgment, revoke one or more license privileges of the licensee, or suspend the privileges for any definite period.

The magistrate shall revoke the hunting license or suspend the privilege of procuring a hunting license for a period of one year of any person who has been convicted twice within a year of trespassing while hunting. If any of the license privileges of a licensee who purchased more than one license privilege is revoked, the remaining license privileges of the licensee shall still be valid and the magistrate shall enter on the license document the privilege that is revoked. A person shall not purchase a license for a privilege that was revoked or suspended during the period of revocation or suspension.

In addition to other civil and criminal penalties imposed for illegally taking or possessing an elk, antelope, buffalo, or moose, the court shall revoke the hunting license of a violator. The violator shall not be allowed to procure a hunting license for the next two calendar years.

[S13, § 2563-a9; C24, 27, 31, § 1729; C35, § 1794-e12; C39, § **1794.095**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, § 110.14; C79, 81, § 110.21]

86 Acts, ch 1245, § 1877; 90 Acts, ch 1142, § 2

C93, § 483A.21

2001 Acts, ch 134, §13

#### **483A.22 Record of revocation.**

When a license is revoked, the date, cause, and tenure of such revocation shall be kept on file with the license records of the commission. The commission may refuse the issuance of a new license to any person whose license has been revoked.

[S13, § 2563-a7; C24, 27, 31, § 1726; C35, § 1794-e13; C39, § **1794.096**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, § 110.15; C79, 81, § 110.22]

C93, § 483A.22

2001 Acts, ch 134, §14

#### **483A.22A Sale of license lists.**

The department may establish, by rule, fees for lists of licensees. Notwithstanding section 22.3, the fee for a list of licensees may exceed the cost of preparing the list and providing the copying service.

98 Acts, ch 1199, §18, 27; 98 Acts, ch 1223, §30

#### **483A.23 Game birds or animals as pets.**

Any person may possess not more than two game birds or fur-bearing animals confined as pets without being required to purchase a license as a game breeder, but the person shall not be allowed to increase the person's stock beyond the original number nor shall the person be allowed to kill or sell such stock. Game birds or animals confined as authorized in this section must be obtained from a licensed game breeder or a legal source outside of this state.

[C24, 27, 31, § 1720; C35, § 1794-e14; C39, § **1794.097**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, § 110.16; C79, 81, § 110.23]

C93, § 483A.23

#### **Footnotes**

For applicable scheduled fines, see §805.8B, subsection 3, paragraph c

#### **483A.24 When license not required special licenses.**

1. Owners or tenants of land, and their juvenile children, may hunt, fish or trap upon such lands and may shoot by lawful means ground squirrels, gophers, or woodchucks upon adjacent roads without securing a

license so to do; except, special licenses to hunt deer and wild turkey shall be required of owners and tenants but they shall not be required to have a special wild turkey hunting license to hunt wild turkey on a hunting preserve licensed under chapter 484B.

2. a. As used in this subsection:

(1) "*Family member*" means a resident of Iowa who is the spouse or child of the owner or tenant and who resides with the owner or tenant.

(2) "*Farm unit*" means all parcels of land, not necessarily contiguous, which are operated as a unit for agricultural purposes and which are under the lawful control of the owner or tenant.

(3) "*Owner*" means an owner of a farm unit who is a resident of Iowa and who is one of the following:

(a) Is the sole operator of the farm unit.

(b) Makes all of the farm operation decisions but contracts for custom farming or hires labor for all or part of the work on the farm unit.

(c) Participates annually in farm operation decisions or cropping practices on specific fields of the farm unit that are rented to a tenant.

(d) Raises specialty crops on the farm unit including, but not limited to, orchards, nurseries, or tree farms that do not always produce annual income but require annual operating decisions about maintenance or improvement.

(e) Has all or part of the farm unit enrolled in a long-term agricultural land retirement program of the federal government.

An "*owner*" does not mean a person who owns a farm unit and who employs a farm manager or third party to operate the farm unit, or a person who owns a farm unit and who rents the entire farm unit to a tenant who is responsible for all farm operations. However, this paragraph does not apply to an owner who is a parent of the tenant and who resides in this state.

(4) "*Tenant*" means a person who is a resident of Iowa and who rents and actively farms a farm unit owned by another person. A member of the owner's family may be a tenant. A person who works on the farm for a wage and is not a family member does not qualify as a tenant.

b. Upon written application on forms furnished by the department, the department shall issue annually without fee one deer or one wild turkey license, or both, to the owner of a farm unit or to a member of the owner's family, but not to both, and to the tenant or to a member of the tenant's family, but not to both. The deer hunting license or wild turkey hunting license issued shall be valid only on the farm unit for which an applicant qualifies pursuant to this subsection and shall be equivalent to the least restrictive license issued under section 481A.38. The owner or the tenant need not reside on the farm unit to qualify for a free license to hunt on that farm unit. A free deer hunting license issued pursuant to this subsection shall be valid during all shotgun deer seasons.

c. In addition to the free deer hunting license received, an owner of a farm unit or a member of the owner's family and the tenant or a member of the tenant's family may purchase a deer hunting license for any option offered to paying deer hunting licensees. An owner of a farm unit or a member of the owner's family and the tenant or a member of the tenant's family may also purchase two additional antlerless deer hunting licenses which are valid only on the farm unit for a fee of ten dollars each.

*d.* If the commission establishes a deer hunting season to occur in the first quarter of a calendar year that is separate from a deer hunting season that continues from the last quarter of the preceding calendar year, each owner and each tenant of a farm unit located within a zone where a deer hunting season is established, upon application, shall be issued a free deer hunting license for each of the two calendar quarters. Each license is valid only for hunting on the farm unit of the owner and tenant.

3. The director shall provide up to twenty-five nonresident deer hunting licenses for allocation as requested by a majority of a committee consisting of the majority leader of the senate, speaker of the house of representatives, and director of the department of economic development, or their designees. The licenses provided pursuant to the subsection shall be in addition to the number of nonresident licenses authorized pursuant to section 483A.8. The purpose of the special nonresident licenses is to allow state officials and local development groups to promote the state and its natural resources to nonresident guests and dignitaries. Photographs, videotapes, or any other form of media resulting from the hunting visitation shall not be used for political campaign purposes. The nonresident licenses shall be issued without application upon payment of the nonresident deer hunting license fee and the wildlife habitat fee. The licenses are valid in all zones open to deer hunting. The hunter safety and ethics education certificate requirement pursuant to section 483A.27 is waived for a nonresident issued a license pursuant to this subsection.

4. The director shall provide up to twenty-five nonresident wild turkey hunting licenses for allocation as requested by a majority of a committee consisting of the majority leader of the senate, speaker of the house of representatives, and director of the department of economic development, or their designees. The licenses provided pursuant to the subsection shall be in addition to the number of nonresident licenses authorized pursuant to section 483A.7. The purpose of the special nonresident licenses is to allow state officials and local development groups to promote the state and its natural resources to nonresident guests and dignitaries. Photographs, videotapes, or any other form of media resulting from the hunting visitation shall not be used for political campaign purposes. The nonresident licenses shall be issued without application upon payment of the nonresident wild turkey hunting license fee and the wildlife habitat fee. The licenses are valid in all zones open to wild turkey hunting. The hunter safety and ethics education certificate requirement pursuant to section 483A.27 is waived for a nonresident issued a license pursuant to this subsection.

5. A resident or nonresident of the state under sixteen years of age is not required to have a license to fish in the waters of the state. However, residents and nonresidents under sixteen years of age must pay the trout fishing fee to possess trout or they must fish for trout with a licensed adult who has paid the trout fishing fee and limit their combined catch to the daily limit established by the commission.

6. A license shall not be required of minor pupils of the state school for the blind, state school for the deaf, or of minor residents of other state institutions under the control of an administrator of a division of the department of human services. In addition, a person who is on active duty with the armed forces of the United States, on authorized leave from a duty station located outside of this state, and a resident of the state of Iowa shall not be required to have a license to hunt or fish in this state. The military person shall carry the person's leave papers and a copy of the person's current earnings statement showing a deduction for Iowa income taxes while hunting or fishing. In lieu of carrying the person's earnings statement, the military person may also claim residency if the person is registered to vote in this state. If a deer or wild turkey is taken, the military person shall immediately contact a state conservation officer to obtain an appropriate tag to transport the animal. A license shall not be required of residents of county care facilities or any person who is receiving old-age assistance under chapter 249.

7. A resident of the state under sixteen years of age is not required to have a hunting license to hunt game if accompanied by the minor's parent or guardian or in company with any other competent adult with the consent of the minor's parent or guardian, if the person accompanying the minor possesses a valid hunting license; however, there must be one licensed adult accompanying each person under sixteen years of age. The minor must have a deer hunting license to hunt deer and a wild turkey hunting license to hunt wild turkey.

8. A person having a dog entered in a licensed field trial is not required to have a hunting license or fur harvester license to participate in the event or to exercise the person's dog on the area on which the field trial is to be held during the twenty-four hour period immediately preceding the trial.

9. The commission shall issue without charge a special fishing license to residents of Iowa sixteen years or more of age who the commission finds have severe mental or physical disabilities. The commission is hereby authorized to prepare an application to be used by the person requesting the special license, which would require that the person's attending physician sign the form declaring that the person has a severe mental or physical disability and is eligible for exempt status.

10. No person shall be required to have a special wild turkey license to hunt wild turkey on a hunting preserve licensed under chapter 484B.

11. A lessee of a camping space at a campground may fish on a private lake or pond on the premises of the campground without a license if the lease confers an exclusive right to fish in common with the rights of the owner and other lessees.

12. The department may issue a permit, subject to conditions established by the department, which authorizes patients of a substance abuse facility, residents of health care facilities licensed under chapter 135C, and persons cared for in juvenile shelter care homes as provided for in chapter 232 to fish without a license as a supervised group.

13. Upon payment of the fee of thirty dollars for a lifetime hunting and fishing combined license, the department shall issue a hunting and fishing combined license to a resident of Iowa who is a veteran, as defined in section 35.1, who was disabled or was a prisoner of war during that veteran's military service. The department shall prepare an application to be used by a person requesting a hunting and fishing combined license under this subsection. The commission of veterans affairs shall assist the department in verifying the status or claims of applicants under this subsection. As used in this subsection, "*disabled*" means entitled to compensation under the United States Code, Title 38, ch. 11.

14. The department shall issue without charge a special annual fishing or combined hunting and fishing license to residents of this state who have permanent disabilities and whose income falls below the federal poverty guidelines as published by the United States department of health and human services or residents of this state who are sixty-five years of age or older and whose income falls below the federal poverty guidelines as published by the United States department of health and human services. The commission shall provide for, by rule, an application to be used by an applicant requesting a special license. The commission shall require proof of age, income, and proof of permanent disability.

[S13, § 2563-a3; C24, 27, 31, § 1720, 1723; C35, § 1794-e15; C39, § **1794.098**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, § 110.17; C79, 81, § 110.24; 82 Acts, ch 1260, § 16]

83 Acts, ch 96, § 59, 159; 84 Acts, ch 1260, § 10; 85 Acts, ch 10, §3; 85 Acts, ch 67, § 15; 86 Acts, ch 1240, § 57; 86 Acts, ch 1245, § 1877; 88 Acts, ch 1216, §42; 89 Acts, ch 74, § 1; 89 Acts, ch 87, §2, 3; 90 Acts, ch 1178, § 1, 2; 91 Acts, ch 237, § 4, 5; 92 Acts, ch 1140, § 12

C93, § 483A.24

94 Acts, ch 1018, §1; 94 Acts, ch 1023, §58; 96 Acts, ch 1129, § 100; 96 Acts, ch 1172, § 1; 97 Acts, ch 180, §6; 98 Acts, ch 1199, §19, 20, 27; 98 Acts, ch 1223, §30; 99 Acts, ch 180, §20; 2000 Acts, ch 1175, §3; 2001 Acts, ch 134, §15; 2001 Acts, ch 148, §8, 9

## Footnotes

For applicable scheduled fines, see §805.8B, subsection 3, paragraph c

#### **483A.24A Harvested deer.**

1. *Intent.* It is the intent of the general assembly in enacting this section, to express its concern to the natural resource commission about the burgeoning deer population in this state, by requiring the natural resource commission to make additional antlerless deer hunting licenses available to encourage hunters in this state to assist the commission in bringing the state's deer population under control.

2. *Definitions.* As used in this section:

a. *"Department of corrections"* means the Iowa department of corrections.

b. *"Establishment"* means an establishment as defined in section 189A.2 where animals or poultry are prepared for food purposes or where wild deer may be processed or dressed for human consumption.

c. *"Public institution"* means a state institution listed under section 904.102, that is administered by the department of corrections.

3. The natural resource commission shall provide by rule for the distribution of antlerless deer hunting licenses annually to resident hunters and to applicants qualified under section 483A.24. The licenses shall be in addition to deer hunting licenses otherwise allocated in this chapter to resident hunters and applicants qualified under section 483A.24 and shall be equivalent to the least restrictive license issued pursuant to section 481A.38. Pursuant to this section, the department shall make available for issuance at least an additional eighteen thousand antlerless deer hunting licenses for resident hunters for 20032004 antlerless deer hunting seasons than were available for the 20022003 antlerless deer hunting seasons.

4. A resident hunter or an applicant qualified under section 483A.24, who receives an antlerless deer hunting license under this section, may deliver the deer harvested with the license to an establishment designated by the department of corrections for processing, packaging, and delivery to locations designated by the department of corrections. Each antlerless deer hunting license issued under this section shall be accompanied by a list of establishments that will accept deer harvested with the license.

5. Each resident hunter or applicant qualified under section 483A.24 shall be otherwise qualified to hunt deer in this state. A wildlife habitat fee shall not be required. The commission shall establish, by rules adopted pursuant to chapter 17A, the procedures for allocating the antlerless deer hunting licenses.

6. The department of corrections may, in cooperation with the commission, contract with one or more establishments to receive, process, package, and deliver the harvested deer meat to the public institutions in the manner specified by the department of corrections and at a cost to the department of corrections that is competitive with the cost of obtaining similar meat products in the private sector.

7. A person violating a provision of this section or a rule adopted pursuant to this section is guilty of a simple misdemeanor punishable as a scheduled violation as provided in section 483A.42.

2003 Acts, ch 85, §2; 2004 Acts, ch 1101, §68

#### **483A.25 Pheasant and quail restoration program appropriations.**

The revenue received from the resident hunting license fee increase in 2002 Acts, chapter 1141,\* for each fiscal year of the fiscal period beginning July 1, 2002, and ending June 30, 2007, is appropriated to the department. Of the amount appropriated to the department pursuant to this section, at least sixty percent shall

be used to fund a pheasant and quail restoration program. The department shall submit a report annually on the pheasant and quail restoration program to the chairpersons of the house committee on natural resources and the senate committee on natural resources and environment not later than January 1, 2004, and not later than January 1 of each subsequent year.

2002 Acts, ch 1141, §2

\*See §483A.1, subsection 1, paragraph c, for increased resident hunting license fee

#### **483A.26 False claims.**

A nonresident shall not obtain a resident license by falsely claiming residency in the state. The use of a license by a person other than the person to whom the license is issued is unlawful and nullifies the license.

[82 Acts, ch 1013, § 1]

C83, § 110.26

84 Acts, ch 1260, § 11; 90 Acts, ch 1216, § 8

C93, § 483A.26

95 Acts, ch 76, § 2

#### **Footnotes**

For applicable scheduled fines, see §805.8B, subsection 3, paragraph q

#### **483A.27 Hunter safety and ethics education program license requirement.**

1. A person born after January 1, 1967, shall not obtain a hunting license unless the person has satisfactorily completed a hunter safety and ethics education course approved by the commission. A person who is eleven years of age or more may enroll in an approved hunter safety and ethics education course, but a person who is eleven years of age and who has successfully completed the course shall be issued a certificate of completion which becomes valid on the person's twelfth birthday. A certificate of completion from an approved hunter safety and ethics education course issued in this state since 1960, by another state, or by a foreign nation, is valid for the requirements of this section.

2. A certificate of completion shall not be issued to a person who has not satisfactorily completed a minimum of ten hours of training in an approved hunter safety and ethics education course. The department shall establish the curriculum for the first ten hours of an approved hunter safety and ethics education course offered in this state. Upon completion of the ten-hour curriculum, each person shall pass an individual oral test or a written test provided by the department. The department shall establish the criteria for successfully passing the tests. Based on the results of the test and demonstrated safe handling of a firearm, the instructor shall determine the persons who shall be issued a certificate of completion.

3. The department shall provide a manual on hunter safety education which shall be used by all instructors and persons receiving hunter safety and ethics education training in this state.

4. The department shall provide for the certification of persons who wish to become hunter safety and ethics instructors. A person shall not act as an instructor in hunter safety and ethics education as provided in this section without first obtaining an instructor's certificate from the department.

5. An officer of the department or a certified instructor may issue a certificate to a person who has not completed the hunter safety and ethics education course but meets the criteria established by the commission.
6. A public or private school or organization approved by the department may co-operate with the department in providing a course in hunter safety and ethics education as provided in this section.
7. A hunting license obtained under this section by a person who gave false information or presented a fraudulent certificate of completion shall be revoked and a new hunting license shall not be issued for at least two years from the date of conviction. A hunting license obtained by a person who was born after January 1, 1967, but has not satisfactorily completed the hunter safety and ethics education course or has not met the requirements established by the commission, shall be revoked.
8. The commission shall adopt rules in accordance with chapter 17A as necessary to carry out the administration of this section.
9. The initial hunter safety certificate shall be issued without cost. A duplicate certificate shall be issued at a cost of three dollars.
10. A person under eighteen years of age who is required to exhibit a valid hunting license, shall also exhibit a valid certificate of completion from a state approved hunter safety and ethics education course upon request of an officer of the department. A failure to carry or refusal to exhibit the certificate of completion as provided in this subsection is a violation of this chapter. A violator is guilty of a simple misdemeanor as provided in section 483A.42.
11. A hunter safety and ethics instructor certified by the department shall be allowed to conduct an approved hunter safety and ethics education course on public school property with the approval of a majority of the board of directors of the school district. The conduct of an approved hunter safety and ethics education course is not a violation of any public policy, rule, regulation, resolution, or ordinance which prohibits the possession, display, or use of a firearm, bow and arrow, or other hunting weapon on public school property or other public property in this state.

[82 Acts, ch 1035, § 1]

C83, § 110.27

85 Acts, ch 104, § 1; 86 Acts, ch 1240, § 8; 86 Acts, ch 1245, § 1877; 91 Acts, ch 235, §1, 2

C93, § 483A.27

97 Acts, ch 96, §1, 2; 2001 Acts, ch 176, §43

## **Footnotes**

For applicable scheduled fines, see §805.8B, subsection 3, paragraph b

**483A.28 and 483A.29** Reserved.

**483A.30 Nonresident deer and turkey license fees.** Repealed by 97 Acts, ch 180, §7.

**483A.31 Reciprocal fishing privileges authorized.**

1. Reciprocal fishing privileges are contingent upon a grant of similar privileges by another state to residents

of this state.

2. The commission may negotiate fishing reciprocity agreements with other states.

3. When another state confers upon fishing licensees of this state reciprocal rights, privileges, and immunities, a fishing license issued by that state entitles the licensee to all rights, privileges, and immunities in the public waters of this state enjoyed by the holders of equivalent licenses issued by this state, subject to duties, responsibilities, and liabilities imposed on its own licensees by the laws of this state.

90 Acts, ch 1178, §3

C91, § 110.31

C93, § 483A.31

### **483A.32 Public nuisance.**

Any device, contrivance, or material used to violate a rule adopted by the commission, or any other provision of this chapter or chapter 481A, 481B, 482, 484A, or 484B, is a public nuisance and may be condemned by the state. The director, the director's officers, or any peace officer, shall seize the devices, contrivances, or materials used as a public nuisance, without warrant or process, and deliver them to a magistrate having jurisdiction. An automobile shall not be construed to be a public nuisance under this section.

[C73, § 4052; C97, § 2540; SS15, § 2539, 2540; C24, 27, 31, § 1715; C35, § 1794-e16; C39, § **1794.099**; C46, 50, 54, 58, 62, 66, § 110.18; C71, 73, 75, 77, § 110.19; C79, 81, § 110.32]

86 Acts, ch 1240, § 9; 86 Acts, ch 1245, § 1878

C93, § 483A.32

98 Acts, ch 1125, §1

### **Footnotes**

Nuisances in general, chapter 657

### **483A.33 Disposition of property seized as public nuisance.**

The disposition of property seized pursuant to section 483A.32 shall be conducted as follows:

1. The officer taking possession of property seized as a public nuisance shall make a written inventory of the property and deliver a copy of the inventory to the person from whom the property was seized. The inventory shall include the name of the person taking custody of the seized property, the date and time of seizure, location of the seizure, and the name of the seizing public agency. Property which has been seized shall be safely secured and stored by the public agency which caused its seizure unless directed otherwise by the county attorney of the county where the property was seized or by the attorney general.

2. *a.* The county attorney or attorney general may file with the clerk of the district court for the county in which the property was seized a notice of condemnation which shall include a description of the property claimed to be condemned by the state, the grounds upon which the state claims that the property has been condemned, the date and place of seizure, and the name of the person from whom the property was seized.

*b.* The notice shall be filed not later than six months after the property was seized. Failure to file within the

time limit terminates the state's right to claim a condemnation of the property.

*c.* The state shall give notice of condemnation to the person from whom the property was seized and any person identified as an owner or lien holder, by certified mail, personal service, or publication.

3. *a.* The person from whom the property was seized may make application for its return in the office of the clerk of the district court for the county in which the property was seized. The application shall be filed within thirty days after the receipt of the notice of condemnation. Failure to file the application within this time period terminates the interest of the person and the ownership of the property shall be transferred to the state.

*b.* The application for return of condemnable property shall be written and shall state the specific item or items sought, the nature and the source of the claimant's interest in the property, and the grounds upon which the claimant seeks to avoid condemnation. The ownership of property is not sufficient grounds for its return. The written application shall be specific and the claimant shall be limited at the judicial hearing to proof of the grounds set forth in the application for return. The fact that the property is inadmissible as evidence or that it may be suppressed is not grounds for its return. If specific grounds for return are not provided in the application for return, or the grounds are insufficient as a matter of law, the court may enter judgment on the pleadings without further hearing.

4. If an application for return of condemnable property is timely and of sufficient grounds, the claim shall be set for hearing. The hearing shall be held not less than ten nor more than thirty days after the filing of the claim. The proceeding shall be conducted by a magistrate or a district associate judge. All claims to the same property shall be heard in one proceeding, unless it is shown that the proceeding would result in prejudice to one or more of the parties.

5. *a.* Upon a finding by the court that the property is condemnable, the court shall enter an order transferring title of the property to the state, and placed at the disposal of the director, who may use or sell the property, depositing the proceeds of the sale in the state fish and game protection fund.

*b.* Upon a finding by the court that the property should not be condemned, the property shall be returned to the person from whom it was seized. If the property is necessary for use as evidence in a criminal proceeding, the property shall not be returned until its use as evidence is no longer required.

[C35, § 1794-e17,-e18; C39, § **1794.100, 1794.101**; C46, 50, 54, 58, 62, 66, § 110.19, 110.20; C71, 73, 75, 77, § 110.20, 110.21; C79, 81, § 110.33]

C93, § 483A.33

98 Acts, ch 1125, §2

#### **483A.34 Right to appeal.**

An appeal from a denial of an application for return of condemnable property, or from an order for return of condemnable property, shall be made within ten days after the entry of a judgment order and shall be conducted in the same manner as an appeal in a small claims action. The appellant, other than the state, shall post a bond of a reasonable amount as the court may fix and approve, conditioned to pay all costs of the proceedings if the appellant is unsuccessful on appeal.

[C35, § 1794-e19; C39, § **1794.102**; C46, 50, 54, 58, 62, 66, § 110.21; C71, 73, 75, 77, § 110.22; C79, 81, § 110.34]

C93, § 483A.34

98 Acts, ch 1125, §3

**483A.35 "Gun" defined.**

The word "*gun*" as used in this chapter shall include every kind of a gun or rifle, except a revolver or pistol, and shall include those provided with pistol mountings which are designed to shoot shot cartridges.

[C31, § 1772-c1; C35, § 1794-e20; C39, § **1794.103**; C46, 50, 54, 58, 62, 66, § 110.22; C71, 73, 75, 77, § 110.23; C79, 81, § 110.35]

C93, § 483A.35

**483A.36 Manner of conveyance.**

No person, except as permitted by law, shall have or carry a gun in or on a vehicle on a public highway, unless the gun is taken down or totally contained in a securely fastened case, and its barrels and magazines are unloaded.

[C24, 27, 31, § 1772; C35, § 1794-e21; C39, § **1794.104**; C46, 50, 54, 58, 62, 66, § 110.23; C71, 73, 75, 77, § 110.24; C79, 81, § 110.36]

86 Acts, ch 1240, § 10

C93, § 483A.36

**Footnotes**

For applicable scheduled fine, see §805.8B, subsection 3, paragraph r

**483A.37 Prohibited guns.**

No person shall use a swivel gun, nor any other firearm, except such as is commonly shot from the shoulder or hand in the hunting, killing or pursuit of game, and no such gun shall be larger than number 10 gauge.

[C97, § 2558; C24, 27, 31, § 1771; C35, § 1794-e22; C39, § **1794.105**; C46, 50, 54, 58, 62, 66, § 110.24; C71, 73, 75, 77, § 110.25; C79, 81, § 110.37]

C93, § 483A.37

**Footnotes**

For applicable scheduled fines, see §805.8B, subsection 3, paragraph d

**483A.38 Free fishing days.**

The commission may designate one period of the year of not more than three days as free fishing days and during that period the residents may fish and lawfully possess fish without a license.

86 Acts, ch 1240, § 11

C87, § 110.38

C93, § 483A.38

**483A.39 through 483A.41** Reserved.

**483A.42 Penalties.**

A person who violates this chapter is guilty of a simple misdemeanor punishable as a scheduled violation under section 805.8B, subsection 3, paragraph "e". However, the scheduled fine specified in section 805.8B, subsection 3, paragraph "e", does not apply to a violation of this chapter for which another scheduled fine is specified in section 805.8B, subsection 3.

[C46, 50, 54, 58, 62, 66, § 110.25; C71, 73, 75, 77, § 110.26; C79, 81, § 110.42]

86 Acts, ch 1240, § 12

C93, § 483A.42

2000 Acts, ch 1203, §24; 2001 Acts, ch 130, §2; 2001 Acts, ch 137, §5

**483A.43 through 483A.49** Reserved.

**483A.50 Definitions.**

When used in this division, unless the context otherwise requires:

1. "*Bonds*" means negotiable wildlife habitat bonds of the commission issued pursuant to this division and includes all bonds, notes, and other obligations issued in anticipation of these bonds or as refunding bonds pursuant to this division.
2. "*Treasurer*" means the treasurer of state of the state of Iowa.
3. "*Wildlife habitat bond fund*" means the fund created by section 483A.53.

86 Acts, ch 1231, § 2

C87, § 110.50

C93, § 483A.50

**483A.51 Bonds issued by the commission.**

1. The commission may issue its negotiable bonds in principal amounts as, in the opinion of the commission, are necessary to provide funds for the acquisition of real property for the development and enhancement of wildlife lands and habitat areas, the payment of interest on its bonds and all other expenditures of the commission incident to and necessary or convenient to carry out the acquisition. However, the commission shall not have a total principal amount of bonds outstanding at any time in excess of eight million dollars. The bonds shall be deemed to be investment securities and negotiable instruments within the meaning of and for all purposes of chapter 554, the uniform commercial code.
2. Bonds issued by the commission are payable solely and only from the revenues credited to the wildlife habitat bond fund. Taxes or appropriations shall not be pledged for the payment of the bonds. Bonds are not an obligation of this state or any political subdivision of this state other than the commission within the

meaning of any constitutional or statutory debt limitations, but are special obligations of the commission payable solely and only from the sources provided in this division, and the commission shall not pledge the general credit or taxing power of this state or any political subdivision of this state or make its debts payable out of any moneys except those of the wildlife habitat bond fund.

3. Bonds must be authorized by a resolution of the commission. However, a resolution authorizing the issuance of obligations may delegate to an officer of the commission the power to negotiate and fix the details of an issue of bonds or notes by an appropriate certificate of the authorized officer.

4. The bond proceedings shall provide for the purpose of the bonds, principal amount and principal maturity or maturities, the interest rate or rates or the maximum interest rate, the date of the bonds and the dates of payment of interest on the bonds, their denomination, the terms and conditions upon which parity bonds may be issued, and the establishment within or without the state of a place or places of payment of principal of and interest on the bonds. The purpose of the bonds may be stated in the bond proceedings in terms describing the general purpose or purposes to be served. The commission may cause to be issued a prospectus or official statement in connection with the offering of the bonds. Bonds may be issued in coupon or in registered form, or both. Provision may be made for the registration of bonds with coupons attached as to principal alone, or as to both principal and interest, their exchange for bonds so registered, and for the conversion or reconversion into bonds with coupons attached of any bonds registered as to both principal and interest, and for reasonable charges for registration, exchange, conversion, and reconversion. Bonds shall be sold in the manner and at the time determined by the commission. Chapter 75 and sections 73A.12 through 73A.16 do not apply to these bonds. The bonds are negotiable instruments. The bond proceedings may contain additional provisions as to:

*a.* The redemption of bonds prior to maturity at the option of the commission at the price and on the terms and conditions provided in the bond proceedings.

*b.* Other terms of the bonds and concerning execution and delivery of the bonds.

*c.* The delegation of responsibility for any act relating to the issuance, execution, sale, redemption, or other matter pertaining to the bonds to any other officer, agency of the state, or other person or body.

*d.* Additional agreements with the bondholders relating to the bonds.

*e.* Payment from the proceeds of the sale of the bonds of all legal and financial expenses incurred by the commission in the issuance, sale, delivery, and payment of the bonds.

*f.* Other matters, alike or different, which may in any way affect the security of the bonds and the protection of the bondholders.

5. The power to issue bonds includes the power to issue obligations in the form of bond anticipation notes or other forms of short-term indebtedness and to renew these notes by the issuance of new notes. The holders of notes or interest coupons of notes have a right to be paid solely from those revenues credited to the wildlife habitat bond fund which were pledged to the payment of the bonds anticipated, or from the proceeds of those bonds or renewal notes, or both, as the commission provides in the bond proceedings authorizing the notes. The notes may be additionally secured by covenants of the commission to the effect that the commission will do those acts authorized by this division and necessary for the issuance of the bonds or renewal notes in appropriate amount, and either exchange the bonds or renewal notes for the notes, or apply the proceeds of the notes, to the extent necessary, to make full payment of the principal of and interest on the notes at the time contemplated, as provided in the bond proceedings. For this purpose, the commission may issue bonds or renewal notes in a principal amount and upon terms as authorized by this division and as necessary to

provide funds to pay when required the principal of and interest on the outstanding notes. All provisions for and references to bonds in this division are applicable to notes authorized under this subsection to the extent not inconsistent with this subsection.

6. The commission may authorize and issue bonds for the refunding, including funding and retirement, and advance refunding with or without payment or redemption prior to maturity, of bonds previously issued by the commission. These bonds may be issued in amounts sufficient for payment of the principal amount of the prior bonds, any redemption premiums on the prior bonds, principal maturities of bonds maturing prior to the redemption of the remaining bonds on a parity with them, interest accrued or to accrue to the maturity date or dates of redemption of the bonds, and project costs including expenses incurred or to be incurred in connection with this issuance, refunding, funding, and retirement. Subject to the bond proceedings, the portion of proceeds of the sale of bonds issued under this subsection to be applied to principal of and interest on the prior bonds shall be credited to the appropriate account for the prior bonds. Bonds authorized under this subsection shall be deemed to be issued for those purposes for which the prior bonds were issued and are subject to the provisions of this division pertaining to other bonds. Refunding bonds may be issued without regard to whether or not the bonds to be refunded are payable on the same date or different dates or due serially or otherwise.

86 Acts, ch 1231, § 3

C87, § 110.51

C93, § 483A.51

#### **483A.52 Additional powers of commission.**

In connection with the issuance of the bonds or in order to secure the payment of the bonds and interest on the bonds, the commission may by resolution:

1. Provide that the bonds be secured by a first lien on the revenues and receipts received or to be received into the wildlife habitat bond fund from income from the investment of the wildlife habitat bond fund, from moneys received from the sale of bonds, and from any other moneys which are available for the payment of bond service charges.
2. Pledge for the benefit of the bondholders any part of the receipts in the wildlife habitat bond fund. The pledge shall be effective without physical delivery or further act and moneys in the fund may be applied for the purposes as pledged without the necessity of an Act of appropriation.
3. Establish, authorize, set aside, regulate, and dispose of reserves and sinking funds.
4. Provide that sufficient amounts of the proceeds of the sale of the bonds may be used to fully or partially fund any and all reserves or sinking funds set out by the bond resolution.
5. Prescribe the procedure, if any, by which the terms of any contract with bondholders may be amended or abrogated, the amount of the bonds whose holders must consent thereto, and the manner in which the consent may be given.
6. Purchase bonds, out of funds available for that purpose, which shall be canceled, at a price not exceeding either of the following:
  - a. If the bonds are then redeemable, the redemption price then applicable plus accrued interest to the next interest payment date.

b. If the bonds are not then redeemable, the redemption price applicable on the first date after the purchase upon which the bonds become subject to redemption plus accrued interest to that date.

86 Acts, ch 1231, § 4

C87, § 110.52

C93, § 483A.52

#### **483A.53 Payment of bonds.**

A wildlife habitat bond fund is created in the state treasury. At the direction of the commission as provided in the bond proceedings or pursuant to section 483A.52, subsection 1 or 2, and as certified by the director, the treasurer of state shall credit to the wildlife habitat bond fund from the revenues received from the sale of wildlife habitat stamps a sum at least sufficient to pay interest on the bonds in each fiscal year and principal on the bonds that mature during each fiscal year. In each fiscal year after July 1, 1986 and after bonds are issued, and until all the bonds issued have been retired, in order to provide for the payment of principal of the bonds issued and sold and the interest on them as the same become due and mature, there is pledged and annually appropriated out of the revenues to be credited to the wildlife habitat bond fund an amount sufficient to pay principal and interest on the bonds issued for each of the years the bonds are outstanding. The director shall annually certify to the treasurer the amount of funds required to pay interest on the bonds in the ensuing fiscal year and the principal on the bonds that mature during the ensuing fiscal year.

86 Acts, ch 1231, § 5

C87, § 110.53

C93, § 483A.53

#### **483A.54 Nonliability of the state and its officials.**

Bonds issued are special limited obligations of the commission and are not a debt or liability of the state or any other political subdivision within the meaning of any constitutional or statutory debt limitation and are not a pledge of the state's credit or taxing power within the meaning of any constitutional or statutory limitation or provision and, except as provided in this division, an appropriation shall not be made, directly or indirectly, by the state or any political subdivision of the state for the payment of bonds. The bonds are special obligations of the commission payable solely from the wildlife habitat bond fund. Funds from the general fund of the state shall not be used to pay interest or principal on the bonds if revenues deposited in the wildlife habitat bond fund are insufficient.

The members of the commission or other person executing the bonds is not personally liable for the payment of the bonds. The bonds are valid and binding obligations of the commission notwithstanding the fact that before the delivery of the bonds any of the officers whose signatures appear on the bonds cease to be officers of the state. From and after the sale and delivery of the bonds, they shall be incontestable by the commission.

86 Acts, ch 1231, § 6

C87, § 110.54

C93, § 483A.54

#### **483A.55 Bonds as legal investments.**

Bonds are securities in which all public officers and bodies of the state and all municipalities and political subdivisions of this state, all insurance companies and associations and other persons carrying on an insurance business, all banks, bankers, trust companies, savings banks, and savings associations, including savings and loan associations, building loan associations, investment companies, and other persons carrying on a banking business, all administrators, guardians, executors, trustees, and other fiduciaries and all other persons who are now or may be authorized to invest in bonds or other obligations of this state may properly and legally invest funds including capital in their control or belonging to them. The bonds are also securities which may be deposited with and may be received by all public officers and bodies of the state and all municipalities and legal subdivisions of this state for any purpose for which the deposit of bonds or other obligations of the state is now or may be authorized.

86 Acts, ch 1231, § 7

C87, § 110.55

C93, § 483A.55

#### **483A.56 Rights of bondholders.**

The bond proceedings may provide that a holder of bonds or a trustee under the bond proceedings, except to the extent that the holder's rights are restricted by the bond proceedings, may by legal proceedings, protect and enforce any rights under the laws of this state or granted by the bond proceedings. These rights include the right to compel the performance of all duties of the commission required by this division or the bond proceedings; to enjoin unlawful activities; and in the event of default with respect to the payment of any principal of or interest on bonds or in the performance of a covenant or agreement on the part of the commission in bond proceedings, to apply to a court to appoint a receiver to receive and administer the funds which are pledged to the payment of bonds or which are the subject of the covenant or agreement, with full power to pay and to provide for payment of any principal of or interest on bonds and with powers accorded receivers in general equity cases, excluding power to pledge additional funds or other income or moneys of the commission, the state, or governmental agencies of the state to the payment of the bonds.

86 Acts, ch 1231, § 8

C87, § 110.56

C93, § 483A.56