

481A.130 Damages in addition to penalty — animals — ginseng.

1. In addition to the penalties for violations of [this chapter](#) and [chapters 350, 461A, 481B, and 482](#), a person convicted of unlawfully selling, taking, catching, killing, injuring, destroying, or having in possession any animal, shall reimburse the state for the value of such as follows:

- a. For each elk, antelope, buffalo, or moose, two thousand five hundred dollars.
 - b. For each wild turkey, two hundred dollars.
 - c. For each bird or animal or the raw pelt or plumage of such bird or animal for which damages are not otherwise prescribed, fifty dollars.
 - d. For each reptile, mussel, or amphibian, fifteen dollars.
 - e. For each beaver, bobcat, mink, otter, red fox, gray fox, or raccoon, two hundred dollars.
 - f. For each animal classified by the commission as an endangered or threatened species, one thousand dollars.
 - g. For each antlered deer, reimbursement shall be based on the score of the antlered deer as measured by the Boone and Crockett club's scoring system for whitetail deer as follows:
 - (1) 150 gross inches or less: A minimum of two thousand dollars and not more than five thousand dollars, and eighty hours of community service or, in lieu of the community service, a minimum of four thousand dollars and not more than ten thousand dollars, in an amount that is deemed reasonable by the court.
 - (2) More than 150 gross inches: A minimum of five thousand dollars and not more than ten thousand dollars, and eighty hours of community service or, in lieu of the community service, a minimum of ten thousand dollars and not more than twenty thousand dollars, in an amount that is deemed reasonable by the court.
 - h. For each deer, except as provided in paragraph "g", and for each swan or crane, one thousand five hundred dollars.
 - i. For each fish, reimbursement shall be as follows:
 - (1) For each fish of a species other than shovelnose sturgeon, with an established daily limit greater than twenty-five, fifteen dollars.
 - (2) For each fish of a species other than paddlefish and muskellunge, with an established daily limit of twenty-five or less, fifty dollars.
 - (3) For each shovelnose sturgeon, paddlefish, and muskellunge, one thousand dollars.
2. In addition to any other penalty, a person convicted of unlawfully harvesting wild ginseng in violation of [section 456A.24](#) shall reimburse the state at one hundred fifty percent of the ginseng's market value, as determined by the department.
3. [This section](#) does not apply to a landowner who cooperates with the department of natural resources and the department of agriculture and land stewardship to remove all whitetail from enclosed land as provided in [section 170.5](#), even if all whitetail are not removed.

4. [This section](#) does not apply to a person who is liable to pay restitution to the department pursuant to [section 481A.151](#) for injury to a wild animal caused by polluting a water of this state in violation of state law.

[C75, 77, 79, 81, §109.130; 82 Acts, ch 1211, §1 – 3]

88 Acts, ch 1216, §41; 90 Acts, ch 1142, §1; 92 Acts, ch 1186, §2

C93, §481A.130

93 Acts, ch 38, §2; 98 Acts, ch 1203, §2, 3; 99 Acts, ch 58, §1; 2003 Acts, ch 149, §18, 23; 2004 Acts, ch 1124, §1; 2007 Acts, ch 28, §15; 2009 Acts, ch 144, §18 – 20

Referred to in §481A.131, 481A.132, 481A.133, 716.8