

House File 466 - Introduced

HOUSE FILE _____
BY RAYHONS, FORRISTALL, and
DE BOEF

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the issuance of any sex deer hunting licenses
2 to certain nonresident landowners and providing a fee and
3 penalties.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1981HH 83
6 av/sc/5

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1 1 Section 1. Section 483A.8, subsection 5, Code 2009, is
1 2 amended by striking the subsection and inserting in lieu
1 3 thereof the following:
1 4 5. a. Upon written application on forms furnished by the
1 5 department, the department shall issue annually one any sex
1 6 deer hunting license to a nonresident owner of a farm unit or
1 7 to a family member of the nonresident owner, but not to both.
1 8 The nonresident owner or family member need not reside on the
1 9 farm unit to qualify for a license to hunt on that farm unit
1 10 pursuant to this subsection.
1 11 b. The deer hunting license issued shall be valid only for
1 12 hunting on the farm unit for which an applicant qualifies
1 13 pursuant to this subsection. A deer hunting license issued
1 14 pursuant to this subsection shall be valid and may be used
1 15 during any shotgun deer hunting season.
1 16 c. A nonresident owner or family member who receives a
1 17 license pursuant to this subsection shall purchase a hunting
1 18 license, an any sex deer hunting license, and an antlerless
1 19 deer hunting license as required in subsection 3, and shall
1 20 pay the wildlife habitat fee, all for the same fee that is
1 21 charged to other nonresident hunters. The person shall also
1 22 pay a one dollar fee that shall be used and is appropriated
1 23 for the purpose of deer herd population management, including
1 24 assisting with the cost of processing deer donated to the help
1 25 us stop hunger program administered by the commission.
1 26 d. If a farm unit has multiple nonresident owners, only
1 27 one of the nonresident owners or family members is eligible to
1 28 receive a deer hunting license pursuant to this subsection.
1 29 If a nonresident landowner jointly owns land in this state
1 30 with a resident, only one joint owner or family member of a
1 31 joint owner shall receive a deer hunting license pursuant to
1 32 this subsection, and preference shall be given to the resident
1 33 owner or the resident owner's family member who applies for
1 34 the license.
1 35 e. (1) A deer hunting license issued pursuant to this
2 1 subsection shall be attested by the signature of the person to
2 2 whom the license is issued and shall contain a statement in
2 3 substantially the following form:
2 4 By signing this license, I certify that I qualify as a
2 5 nonresident owner or family member of a nonresident owner
2 6 under Iowa Code section 483A.8, subsection 5.
2 7 (2) A person who makes a false attestation under this
2 8 paragraph "e" is guilty of a simple misdemeanor. In addition,
2 9 the person's hunting license and deer hunting license shall be
2 10 revoked and the person shall not be issued a hunting license
2 11 or a deer hunting license for a period of one year.
2 12 f. In addition to the deer hunting license received
2 13 pursuant to this subsection, a nonresident owner of a farm
2 14 unit or a family member of the nonresident owner may also
2 15 purchase a deer hunting license for any other option offered
2 16 to other nonresident deer hunting licensees.
2 17 g. The deer hunting licenses issued pursuant to this
2 18 subsection to nonresidents who own farm units in this state or

2 19 to family members of such nonresident owners are in addition
2 20 to the licenses issued pursuant to license limitations and
2 21 allocations specified in subsections 3 and 4.

2 22 h. As used in this section:

2 23 (1) "Family member" means a person who is not a resident
2 24 of Iowa and who is the spouse or child of a nonresident owner
2 25 and resides with the nonresident owner.

2 26 (2) "Farm unit" means all parcels of land comprised of not
2 27 less than eighty acres, not necessarily contiguous, that are
2 28 under the lawful control of the nonresident owner, are
2 29 operated as a unit, and of which not less than seventy-five
2 30 percent of the land is actively operated for farming purposes.
2 31 "Farm unit" does not include any land in a forest or
2 32 fruit-tree reservation for which a property tax exemption is
2 33 being received under chapter 427C.

2 34 (3) "Farming purposes" means the cultivation of land for
2 35 the production of agricultural crops, the raising of poultry,
3 1 the production of eggs, the production of milk, the production
3 2 of fruit or other horticultural crops, or the grazing or
3 3 production of livestock. Farming does not include the
3 4 production of timber, forest products, nursery products, fruit
3 5 trees, or sod.

3 6 (4) "Nonresident owner" means an owner of a farm unit who
3 7 is not a resident of Iowa.

3 8 EXPLANATION

3 9 This bill amends Code section 483A.8(5) to provide that a
3 10 nonresident who owns a farm unit in this state or a family
3 11 member of the nonresident owner who resides with the
3 12 nonresident, but not both, may receive annually one any sex
3 13 deer hunting license to hunt on that farm unit. A deer
3 14 hunting license issued pursuant to the bill is valid for all
3 15 shotgun deer hunting seasons. A person who receives such a
3 16 license shall purchase a hunting license, an any sex deer
3 17 hunting license, and an antlerless deer hunting license as
3 18 required in Code section 483A.8(3), and shall pay the wildlife
3 19 habitat fee, all for the same fee that is charged to a
3 20 nonresident hunter. The person shall also pay a \$1 fee for
3 21 the purpose of deer herd population management.

3 22 If a farm unit has multiple nonresident owners, only one of
3 23 the owners or family members is eligible to receive a deer
3 24 hunting license pursuant to the bill. If a nonresident and
3 25 resident jointly own a farm unit, preference is given to the
3 26 resident owner or family member to obtain a deer hunting
3 27 license.

3 28 A person who obtains a license pursuant to the bill is
3 29 required to attest that the person qualifies as a nonresident
3 30 owner or family member of a nonresident owner who qualifies to
3 31 receive the license. A person who makes a false attestation
3 32 shall have the person's hunting and deer hunting licenses
3 33 revoked, shall not receive new licenses for one year, and is
3 34 guilty of a simple misdemeanor. A simple misdemeanor is
3 35 punishable by confinement for no more than 30 days or a fine
4 1 of at least \$65 but not more than \$625 or by both.

4 2 A nonresident owner or family member who receives a license
4 3 pursuant to the bill may also purchase deer hunting licenses
4 4 that are available to nonresidents. The deer hunting licenses
4 5 issued to nonresident owners or their family members pursuant
4 6 to the bill are in addition to the licenses issued pursuant to
4 7 the limitations and allocations specified in Code section
4 8 483A.8(3) and (4). Currently, the natural resource commission
4 9 is limited to issuing 6,000 antlered or any sex deer hunting
4 10 licenses to nonresidents each year.

4 11 LSB 1981HH 83

4 12 av/sc/5