

Senate File 392 - Introduced

SENATE FILE 392
BY COMMITTEE ON NATURAL
RESOURCES AND ENVIRONMENT

(SUCCESSOR TO SSB 1206)

A BILL FOR

1 An Act relating to hunter education license requirements,
2 providing for a hunting license with an apprentice hunter
3 designation, and including penalty provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 483A.7, subsection 3, paragraph a, Code
2 2015, is amended to read as follows:

3 a. A nonresident wild turkey hunter is required to purchase
4 a nonresident hunting license that includes the wildlife
5 habitat fee and a nonresident wild turkey hunting license. The
6 commission shall annually limit to two thousand three hundred
7 licenses the number of nonresidents allowed to have wild turkey
8 hunting licenses. Of the two thousand three hundred licenses,
9 one hundred fifty licenses shall be valid for hunting with
10 muzzle loading shotguns only. The commission shall allocate
11 the nonresident wild turkey hunting licenses issued among the
12 zones based on the populations of wild turkey. A nonresident
13 applying for a wild turkey hunting license must exhibit proof
14 of having successfully completed a hunter ~~safety and ethics~~
15 education program as provided in section 483A.27 or its
16 equivalent as determined by the department before the license
17 is issued.

18 Sec. 2. Section 483A.8, subsection 3, paragraph d, Code
19 2015, is amended to read as follows:

20 d. The commission shall allocate all nonresident deer
21 hunting licenses issued among the zones based on the
22 populations of deer. However, a nonresident applicant may
23 request one or more hunting zones, in order of preference, in
24 which the applicant wishes to hunt. If the request cannot
25 be fulfilled, the applicable fees shall be returned to the
26 applicant. A nonresident applying for a deer hunting license
27 must exhibit proof of having successfully completed a hunter
28 ~~safety and ethics~~ education program as provided in section
29 483A.27 or its equivalent as determined by the department
30 before the license is issued.

31 Sec. 3. Section 483A.24, subsection 3, paragraph a, Code
32 2015, is amended to read as follows:

33 a. Fifty of the nonresident deer hunting licenses shall be
34 allocated as requested by a majority of a committee consisting
35 of the majority leader of the senate, speaker of the house

1 of representatives, and director of the economic development
2 authority, or their designees. The licenses provided pursuant
3 to this subsection shall be in addition to the number of
4 nonresident licenses authorized pursuant to section 483A.8.
5 The purpose of the special nonresident licenses is to allow
6 state officials and local development groups to promote the
7 state and its natural resources to nonresident guests and
8 dignitaries. Photographs, videotapes, or any other form
9 of media resulting from the hunting visitation shall not
10 be used for political campaign purposes. The nonresident
11 licenses shall be issued without application upon purchase of a
12 nonresident hunting license that includes the wildlife habitat
13 fee and the purchase of a nonresident deer hunting license.
14 The licenses are valid in all zones open to deer hunting. The
15 hunter ~~safety and ethics~~ education certificate requirement
16 pursuant to section 483A.27 is waived for a nonresident issued
17 a license pursuant to this subsection.

18 Sec. 4. Section 483A.24, subsection 4, paragraph a, Code
19 2015, is amended to read as follows:

20 a. Fifty of the nonresident wild turkey hunting licenses
21 shall be allocated as requested by a majority of a committee
22 consisting of the majority leader of the senate, speaker of
23 the house of representatives, and director of the economic
24 development authority, or their designees. The licenses
25 provided pursuant to this subsection shall be in addition
26 to the number of nonresident licenses authorized pursuant
27 to section 483A.7. The purpose of the special nonresident
28 licenses is to allow state officials and local development
29 groups to promote the state and its natural resources to
30 nonresident guests and dignitaries. Photographs, videotapes,
31 or any other form of media resulting from the hunting
32 visitation shall not be used for political campaign purposes.
33 The nonresident licenses shall be issued without application
34 upon purchase of a nonresident hunting license that includes
35 the wildlife habitat fee and the purchase of a nonresident wild

1 turkey hunting license. The licenses are valid in all zones
2 open to wild turkey hunting. The hunter ~~safety and ethics~~
3 education certificate requirement pursuant to section 483A.27
4 is waived for a nonresident issued a license pursuant to this
5 subsection.

6 Sec. 5. Section 483A.24, subsection 5, paragraph e, Code
7 2015, is amended to read as follows:

8 e. A disabled person who receives a special license under
9 this subsection shall complete the hunter ~~safety and ethics~~
10 education course.

11 Sec. 6. Section 483A.24, subsection 12, paragraph d, Code
12 2015, is amended to read as follows:

13 d. A nonresident who receives a special license pursuant to
14 this subsection shall purchase a hunting license that includes
15 the wildlife habitat fee and the applicable nonresident turkey
16 or deer hunting license, but is not required to complete the
17 hunter ~~safety and ethics~~ education course if the person is
18 accompanied and aided by a person who is at least eighteen
19 years of age. The accompanying person must be qualified to
20 hunt and have a hunting license that includes the wildlife
21 habitat fee. During the hunt, the accompanying adult must be
22 within arm's reach of the nonresident licensee.

23 Sec. 7. Section 483A.27, Code 2015, is amended to read as
24 follows:

25 **483A.27 Hunter ~~safety and ethics~~ education program — license**
26 **requirement.**

27 1. A person born after January 1, 1972, shall not obtain a
28 hunting license unless the person has satisfactorily completed
29 a hunter ~~safety and ethics~~ education course approved by the
30 commission. A person who is eleven years of age or more
31 may enroll in an approved hunter ~~safety and ethics~~ education
32 course, but a person who is eleven years of age and who has
33 successfully completed the course shall be issued a certificate
34 of completion which becomes valid on the person's twelfth
35 birthday. A certificate of completion from an approved hunter

1 ~~safety and ethics~~ education course issued in this state, or a
2 certificate issued by another state, country, or province for
3 completion of a course that meets the standards adopted by the
4 international hunter education association — United States of
5 America, is valid for the requirements of this section.

6 2. a. A certificate of completion shall not be issued
7 to a person who has not satisfactorily completed ~~a minimum~~
8 ~~of ten hours of training in~~ an approved hunter ~~safety and~~
9 ~~ethics~~ education course. The department shall establish the
10 curriculum based on the standards adopted by the international
11 hunter education association — United States of America for
12 ~~the first ten hours of an~~ the approved hunter ~~safety and ethics~~
13 education course ~~offered in this state~~. Upon completion
14 of the ~~ten-hour curriculum~~ course, each person shall pass
15 an individual oral test or a written test provided by the
16 department. The department shall establish the criteria for
17 successfully passing the tests. Based on the results of
18 the test and demonstrated safe handling of a firearm, the
19 instructor shall determine the persons who shall be issued a
20 certificate of completion.

21 b. Notwithstanding paragraph "a", a resident who is eighteen
22 years of age or older may obtain a certificate of completion
23 without demonstrating the safe handling of a firearm.

24 3. The department shall provide a manual regarding hunter
25 ~~safety and ethics~~ education which shall be used by all
26 instructors and persons receiving hunter ~~safety and ethics~~
27 education training in this state. The department may produce
28 the manual in a print or electronic format accessible from
29 a computer, including from a data storage device or the
30 department's internet site.

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

1 department.

2 5. An officer of the department or a certified instructor
3 may issue a certificate to a person who has not completed
4 the hunter ~~safety and ethics~~ education course but meets the
5 criteria established by the commission.

6 6. A public or private school accredited pursuant to section
7 256.11 or an organization approved by the department may
8 cooperate with the department in providing a course in hunter
9 ~~safety and ethics~~ education or shooting sports activities as
10 provided in this section.

11 7. A hunting license obtained under this section by a
12 person who gave false information or presented a fraudulent
13 certificate of completion shall be revoked and a new hunting
14 license shall not be issued for at least two years from the
15 date of conviction. A hunting license obtained by a person
16 who was born after January 1, 1972, but has not satisfactorily
17 completed the hunter ~~safety and ethics~~ education course or has
18 not met the requirements established by the commission, shall
19 be revoked.

20 8. The commission shall adopt rules in accordance with
21 chapter 17A as necessary to carry out the administration of
22 this section.

23 9. The initial hunter ~~safety~~ education certificate shall be
24 issued without cost. A duplicate certificate shall be issued
25 ~~at a cost of three dollars~~ upon payment of the writing fee and
26 administrative fee, if applicable.

27 10. A person under eighteen years of age who is required
28 to exhibit a valid hunting license, shall also exhibit a valid
29 certificate of completion from a state approved hunter ~~safety~~
30 ~~and ethics~~ education course upon request of an officer of the
31 department. A failure to carry or refusal to exhibit the
32 certificate of completion as provided in this subsection is a
33 violation of this chapter. A violator is guilty of a simple
34 misdemeanor as provided in section 483A.42.

35 11. An instructor certified by the department shall be

1 allowed to conduct a department-approved hunter ~~safety and~~
2 ~~ethics~~ education course or shooting sports activities course
3 on public school property with the approval of a majority of
4 the board of directors of the school district. Conducting
5 an approved hunter ~~safety and ethics~~ education course or
6 shooting sports activities course is not a violation of any
7 public policy, rule, regulation, resolution, or ordinance which
8 prohibits the possession, display, or use of a firearm, bow and
9 arrow, or other hunting weapon on public school property or
10 other public property in this state.

11 Sec. 8. NEW SECTION. **483A.27A Apprentice hunters.**

12 1. Notwithstanding section 483A.27, a person who is sixteen
13 years of age or older may purchase a hunting license with an
14 apprentice hunter designation on the license without first
15 completing a hunter education course if the person meets all
16 the requirements of this section.

17 2. If the apprentice hunter is a minor, the person must
18 be accompanied and aided while hunting by a mentor who is the
19 person's parent or guardian, or be accompanied and aided by any
20 other competent adult mentor with the consent of the minor's
21 parent or guardian. If the apprentice hunter is not a minor,
22 the apprentice hunter must be accompanied and aided while
23 hunting by a competent adult mentor.

24 3. The mentor and the apprentice hunter must have valid
25 hunting licenses that include the wildlife habitat fee and that
26 are valid for the same seasons to hunt game.

27 a. A resident mentor and a resident apprentice hunter must
28 also purchase deer hunting licenses and tags to hunt deer and
29 wild turkey hunting licenses and tags to hunt wild turkey, that
30 are valid for the same seasons and zones. A transportation tag
31 issued to a resident apprentice hunter shall not be used to tag
32 a deer or wild turkey taken by another person.

33 b. A nonresident apprentice hunter is not entitled to
34 purchase a deer hunting license to hunt deer or a wild turkey
35 hunting license to hunt wild turkey, or to participate in a

1 hunt for deer or wild turkey.

2 4. While hunting, the apprentice hunter must be under the
3 direct supervision of the mentor. For the purposes of this
4 subsection, "*direct supervision*" means the mentor must maintain
5 constant direction and control of the apprentice hunter and
6 stay within a distance from the apprentice hunter that enables
7 the mentor to give uninterrupted, unaided visual and auditory
8 communications to the apprentice hunter. There must be one
9 licensed mentor in direct supervision of each apprentice
10 hunter.

11 5. A hunting license with an apprentice hunter designation
12 issued pursuant to this section is valid from the date issued
13 to January 10 of the succeeding calendar year for which
14 it is issued. A hunting license with an apprentice hunter
15 designation shall contain the address, signature, and a general
16 description of the licensee.

17 6. A person is eligible to obtain a hunting license with an
18 apprentice hunter designation pursuant to this section only two
19 times. Subsequently, the person must meet the requirements of
20 section 483A.27 in order to obtain a hunting license.

21 7. The commission shall adopt rules pursuant to chapter 17A
22 to administer this section.

23 Sec. 9. Section 484B.10, subsection 3, Code 2015, is amended
24 to read as follows:

25 3. A nonresident youth under sixteen years of age may hunt
26 game birds on a licensed hunting preserve upon securing an
27 annual hunting preserve license restricted to hunting preserves
28 only for a license fee of five dollars and payment of the
29 wildlife habitat fee. A nonresident youth is not required
30 to complete the hunter ~~safety and ethics~~ education course to
31 obtain a hunting preserve license pursuant to this subsection
32 if the youth is accompanied by a person who is at least
33 eighteen years of age, is qualified to hunt, and possesses a
34 valid hunting license that includes the wildlife habitat fee.
35 During the hunt, the accompanying adult must be within arm's

1 reach of the nonresident youth.

2 Sec. 10. Section 805.8B, subsection 3, paragraph b, Code
3 2015, is amended to read as follows:

4 b. For violations of sections 481A.54, 481A.69, 481A.71,
5 481A.72, 482.6, 483A.3, 483A.6, 483A.19, and 483A.27, and
6 483A.27A, the scheduled fine is twenty dollars.

7 EXPLANATION

8 The inclusion of this explanation does not constitute agreement with
9 the explanation's substance by the members of the general assembly.

10 This bill relates to hunter education license requirements,
11 provides for a hunting license with an apprentice hunter
12 designation, and includes penalties.

13 The bill renames the "hunter safety and ethics education
14 course" described in Code section 483A.27, whose completion is
15 required to purchase a hunting license in this state, as the
16 "hunter education course". Coordinating amendments are made to
17 numerous other Code provisions that reference the course.

18 The bill also amends Code section 483A.27 to provide that
19 the curriculum for the entire course shall be based on the
20 standards adopted by the international hunter education
21 association — United States of America. The cost for a
22 duplicate certificate of completion of the course is changed to
23 the amount of the writing fee and administrative fee instead of
24 specifying that the cost is \$3.

25 New Code section 483A.27A provides that, notwithstanding the
26 requirements of Code section 483A.27, a person aged 16 years or
27 older may purchase a hunting license with an apprentice hunter
28 designation without first completing the hunter education
29 course if the person meets the requirements of the new Code
30 section.

31 New Code section 483A.27A provides that if an apprentice
32 hunter is a minor, the person must be accompanied and aided
33 while hunting by a mentor who is the person's parent or
34 guardian or another competent adult consented to by the
35 parent or guardian. If the apprentice hunter is not a minor,

1 the person must be accompanied and aided while hunting by a
2 competent adult mentor.

3 The mentor and the apprentice hunter must have valid hunting
4 licenses that include the wildlife habitat fee and that are
5 valid for the same seasons to hunt game. A resident mentor
6 and a resident apprentice hunter must also have deer or wild
7 turkey hunting licenses that are valid for the same seasons or
8 zones if hunting for deer or wild turkey. A transportation tag
9 issued to an apprentice hunter cannot be used to tag a deer or
10 wild turkey taken by another person. A nonresident apprentice
11 hunter is not entitled to purchase a deer hunting license or
12 a wild turkey hunting license or to participate in a hunt for
13 deer or wild turkey.

14 While hunting, an apprentice hunter must be under the direct
15 supervision of the mentor. "Direct supervision" means that
16 the mentor must maintain constant direction and control of
17 the apprentice hunter and stay within a distance that enables
18 the mentor to give uninterrupted, unaided visual and auditory
19 communications to the apprentice. There must be one licensed
20 mentor in direct supervision of each apprentice.

21 A hunting license with an apprentice hunter designation is
22 valid from the date of issue to January 10 of the succeeding
23 calendar year and shall contain a general description of the
24 licensee.

25 A person is eligible to obtain only two hunting licenses with
26 an apprentice hunter designation. After that, the person must
27 meet the hunter education requirements of Code section 483A.27
28 to obtain a hunting license.

29 The commission is required to adopt rules to administer new
30 Code section 483A.27A. A violation of the new provision is
31 punishable with a scheduled fine of \$20.