

House File 2190 - Introduced

HOUSE FILE 2190
BY WILLS

A BILL FOR

- 1 An Act relating to nonresident deer hunting on land owned
 - 2 or formerly owned by nonresidents and making penalties
 - 3 applicable.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 DIVISION I

2 NONRESIDENT LANDOWNERS

3 Section 1. Section 483A.1A, Code 2020, is amended by adding
4 the following new subsection:

5 NEW SUBSECTION. 8A. "*Nonresident landowner*" means a
6 nonresident who meets all of the following criteria:

7 a. The nonresident can establish ownership of at least
8 eighty acres of land in this state with a low suitability
9 for commodity agriculture production, as determined by the
10 department.

11 b. The nonresident can prove ownership of the property in
12 paragraph "a" for at least five years.

13 c. The nonresident has not used an exemption from property
14 taxes under chapter 427C for any property owned by the
15 nonresident.

16 d. The nonresident has not enrolled the land in the
17 conservation reserve program as described in 7 C.F.R. pt. 1410.

18 Sec. 2. Section 483A.8, subsection 3, paragraph c, Code
19 2020, is amended to read as follows:

20 c. The commission shall annually limit to six thousand the
21 number of nonresidents allowed to have antlered or any sex deer
22 hunting licenses. Of the six thousand nonresident antlered or
23 any sex deer hunting licenses issued, not more than thirty-five
24 percent of the licenses shall be bow season licenses. After
25 the six thousand antlered or any sex nonresident deer hunting
26 licenses have been issued, all additional nonresident deer
27 licenses shall be issued for antlerless deer only. The
28 commission shall annually determine the number of nonresident
29 antlerless deer only deer hunting licenses that will be
30 available for issuance. This limitation shall not apply
31 to licenses for nonresident landowners issued pursuant to
32 subsection 5.

33 Sec. 3. Section 483A.8, subsection 5, Code 2020, is amended
34 to read as follows:

35 5. a. A nonresident owning land in this state landowner

1 meeting all the criteria outlined in this subsection may apply
2 and shall be eligible for a two nonresident antlered or any sex
3 deer hunting license licenses valid to hunt on all land owned
4 by the nonresident only, and the provisions of subsection 3,
5 paragraph "a", shall apply. However, if a nonresident owning
6 land in this state is unsuccessful in obtaining one of the
7 nonresident antlered or any sex deer hunting licenses, the
8 landowner shall be given preference for one of the antlerless
9 deer only nonresident deer hunting licenses available pursuant
10 to subsection 3. A nonresident owning land in this state
11 shall pay the fee for a nonresident antlerless only deer
12 hunting license and the license shall be valid to hunt on the
13 nonresident's land only.

14 b. A nonresident landowner may only make one application
15 annually.

16 c. If one or more parcels of land have multiple nonresident
17 owners, only one of the nonresident owners is eligible for a
18 nonresident antlerless only deer hunting license landowners, no
19 more than two nonresident landowner deer hunting licenses may
20 be used on a shared parcel. If a nonresident jointly owns land
21 in this state with a resident, the nonresident shall not be
22 given preference for a nonresident antlerless only deer hunting
23 license.

24 d. The department may shall require proof of land ownership
25 from a nonresident landowner applying for a nonresident
26 antlerless only landowner deer hunting license and a
27 depredation agreement under chapter 481C to limit potential
28 damage to crops, horticultural products, trees, or nurseries
29 due to wild animals.

30 e. A nonresident landowner who owns additional land
31 suitable for crop or livestock production, as determined by the
32 department of agriculture and land stewardship, shall include
33 with the application an affidavit explaining the nonresident
34 landowner's efforts to secure a beginning farmer, as defined
35 in section 16.58, as a tenant.

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DIVISION II

2

FORMER OWNERS

3 Sec. 4. Section 483A.24, subsection 1, Code 2020, is amended
4 to read as follows:

5 1. Owners, former owners, as defined in subsection 2, or
6 tenants of land, and their minor children, may hunt, fish,
7 or trap upon such lands and may shoot by lawful means ground
8 squirrels, gophers, or woodchucks upon adjacent roads without
9 securing a license so to do; except however, special licenses
10 to hunt deer and wild turkey shall be required of owners and
11 tenants, and former owners hunting deer, but they owners and
12 tenants shall not be required to have a special wild turkey
13 hunting license to hunt wild turkey on a hunting preserve
14 licensed under chapter 484B.

15 Sec. 5. Section 483A.24, subsection 2, paragraph a, Code
16 2020, is amended by adding the following new subparagraph:

17 NEW SUBPARAGRAPH. (03) "*Former owner*" means a person who is
18 a nonresident but previously qualified as an owner and has a
19 current family member who is an owner of the same land.

20 Sec. 6. Section 483A.24, subsection 2, paragraphs c, d, and
21 e, Code 2020, are amended to read as follows:

22 c. Upon written application on forms furnished by the
23 department, the department shall issue annually without fee two
24 deer hunting licenses, one antlered or any sex deer hunting
25 license and one antlerless deer only deer hunting license,
26 to the owner of a farm unit, a former owner of a farm unit,
27 or a member of the owner's family, but only a total of two
28 licenses ~~for both~~ between them, and to the tenant of a farm
29 unit or a member of the tenant's family, but only a total of
30 two licenses for both. The deer hunting licenses issued shall
31 be valid only for use on the farm unit for which the applicant
32 applies pursuant to this paragraph. The owner, former owner,
33 or the tenant need not reside on the farm unit to qualify for
34 the free deer hunting licenses to hunt on that farm unit. The
35 free deer hunting licenses issued pursuant to this paragraph

1 shall be valid and may be used during any bow or firearm deer
2 hunting season. The licenses may be used to harvest deer in
3 two different seasons. In addition, a person who receives a
4 free deer hunting license pursuant to this paragraph shall
5 pay a one dollar fee for each license that shall be used
6 and is appropriated for the purpose of deer herd population
7 management, including assisting with the cost of processing
8 deer donated to the help us stop hunger program administered
9 by the commission.

10 d. In addition to the free deer hunting licenses received
11 pursuant to paragraph "c", an owner of a farm unit, a former
12 owner of a farm unit, or a member of the owner's family and the
13 tenant or a member of the tenant's family may purchase a deer
14 hunting license for any option offered to paying deer hunting
15 licensees. An owner of a farm unit, a former owner of a farm
16 unit, or a member of the owner's family and the tenant or a
17 member of the tenant's family may also purchase two additional
18 antlerless deer hunting licenses which that are valid only on
19 the farm unit for a fee established by rules adopted pursuant
20 to section 483A.1.

21 e. If the commission establishes a deer hunting season to
22 occur in the first quarter of a calendar year that is separate
23 from a deer hunting season that continues from the last quarter
24 of the preceding calendar year, each owner, each former owner,
25 and each tenant of a farm unit located within a zone where a
26 deer hunting season is established, upon application, shall be
27 issued a free deer hunting license for each of the two calendar
28 quarters. Each license is valid only for hunting on the farm
29 unit of the owner and tenant.

30

EXPLANATION

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

33 This bill relates to nonresident deer hunting on land owned
34 or formerly owned by a nonresident.

35 The bill creates a definition for "nonresident landowner".

1 which is a nonresident who owns 80 acres of land in this state
2 with a low suitability for commodity agriculture production, as
3 determined by the department of natural resources, has owned
4 that land for at least five years, has not used an exemption
5 from property taxes for forest and fruit tree reservations for
6 any property the nonresident owns, and has not enrolled the
7 land in the federal conservation reserve program. Current
8 law allows a nonresident landowner to apply for one of up to
9 6,000 antlered or any sex deer hunting licenses issued by the
10 natural resource commission for nonresidents. The bill allows
11 a nonresident landowner to apply once per year for two antlered
12 or any sex deer hunting licenses for use on the nonresident
13 landowner's property. Licenses issued in this manner are not
14 included in the allotment of nonresident deer hunting licenses
15 issued by the commission. If one or more parcels of land have
16 multiple nonresident landowners, no more than two nonresident
17 landowner deer hunting licenses may be used on a shared parcel.
18 The department shall require proof of land ownership from the
19 nonresident landowner and the nonresident landowner shall enter
20 a wild animal depredation agreement with the department for
21 purposes of limiting potential damage to crops, horticultural
22 products, trees, and nurseries due to wild animals. If the
23 nonresident landowner owns additional land that the department
24 of agriculture and land stewardship determines is suitable
25 for crop or livestock production, the nonresident landowner
26 shall include with the application an affidavit explaining the
27 nonresident landowner's efforts to secure a beginning farmer
28 as a tenant.

29 The bill creates a definition of "former owner", which is
30 a nonresident who previously qualified as an owner under Code
31 section 483A.24, subsection 2, and who has a family member who
32 currently qualifies as an owner on the same property. The
33 bill extends the privilege to hunt without a license on one's
34 own land to former owners. The bill makes the former owner
35 eligible to receive free deer hunting licenses for use on the

1 property and purchase additional antlerless deer only deer
2 hunting licenses for use on the property. If the commission
3 establishes a deer hunting season to occur in the first quarter
4 of a calendar year that is separate from a deer hunting season
5 that continues from the last quarter of the preceding calendar
6 year, each former owner of a farm unit in a zone where a deer
7 hunting season is established may receive a free deer hunting
8 license for each of the calendar quarters for use on the farm
9 unit.

10 A person who violates a provision of the bill is subject to a
11 scheduled fine of \$25.