

**House File 2323 - Introduced**

HOUSE FILE 2323

BY WILLS

**A BILL FOR**

1 An Act relating to deer hunting by nonresidents 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 Section 1. Section 483A.1A, Code 2020, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 8A. *“Nonresident landowner”* means a  
4 nonresident who meets all of the following criteria:

5 a. The nonresident can establish ownership of at least forty  
6 acres of land in this state.

7 b. The nonresident can prove ownership of the property in  
8 paragraph “a” for at least five years.

9 c. The nonresident has not used an exemption from property  
10 taxes under chapter 427C for any property owned by the  
11 nonresident.

12 Sec. 2. Section 483A.8, subsection 3, paragraph c, Code  
13 2020, is amended to read as follows:

14 c. The commission shall annually limit to six thousand  
15 the number of nonresidents allowed to have antlered or any  
16 sex deer hunting licenses. Of the six thousand nonresident  
17 antlered or any sex deer hunting licenses issued, not  
18 more than thirty-five percent of the licenses shall be bow  
19 season licenses. After the six thousand antlered or any  
20 sex nonresident deer hunting licenses have been issued, all  
21 additional nonresident deer licenses shall be issued for  
22 antlerless deer only. The commission shall annually determine  
23 the number of nonresident antlerless deer only deer hunting  
24 licenses that will be available for issuance. The limits  
25 established in this paragraph shall not apply to licenses for  
26 nonresident landowners issued pursuant to subsection 5.

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

29 5. A nonresident owning land in this state who is not a  
30 nonresident landowner as defined in section 483A.1, subsection  
31 8A, or is otherwise ineligible under subsection 5A of this  
32 section may apply for a nonresident antlered or any sex deer  
33 hunting license, and the provisions of [subsection 3](#) shall  
34 apply. However, if a nonresident owning land in this state  
35 is unsuccessful in obtaining one of the nonresident antlered

1 or any sex deer hunting licenses, the ~~landowner~~ nonresident  
2 owning land in this state shall be given preference for one  
3 of the antlerless deer only nonresident deer hunting licenses  
4 available pursuant to [subsection 3](#). A nonresident owning land  
5 in this state shall pay the fee for a nonresident antlerless  
6 only deer hunting license and the license shall be valid to  
7 hunt on the nonresident's land only. If one or more parcels  
8 of land have multiple nonresident owners, only one of the  
9 nonresident owners is eligible for a nonresident antlerless  
10 only deer hunting license. If a nonresident jointly owns land  
11 in this state with a resident, the nonresident shall not be  
12 given preference for a nonresident antlerless only deer hunting  
13 license. The department may require proof of land ownership  
14 from a nonresident landowner applying for a nonresident  
15 antlerless only deer hunting license.

16 Sec. 4. Section 483A.8, Code 2020, is amended by adding the  
17 following new subsection:

18 NEW SUBSECTION. 5A. *a.* A nonresident landowner meeting all  
19 the criteria outlined in this subsection may apply and shall be  
20 eligible for two nonresident antlered or any sex deer hunting  
21 licenses valid to hunt on all land owned by the nonresident  
22 only, and the provisions of [subsection 3](#), paragraph "a", shall  
23 apply. The nonresident landowner shall pay an additional  
24 ten-dollar wildlife fee for herd management, including  
25 assisting with the cost of processing deer donated to the help  
26 us stop hunger program administered by the commission.

27 *b.* A nonresident landowner may only make one application  
28 annually.

29 *c.* If one or more parcels of land have multiple nonresident  
30 landowners, no more than two nonresident landowner deer hunting  
31 licenses may be used on a shared parcel.

32 *d.* The department shall require proof of land ownership from  
33 a nonresident landowner applying for a nonresident landowner  
34 deer hunting license and a depredation agreement under  
35 chapter 481C to limit potential damage to crops, horticultural

1 products, trees, or nurseries due to wild animals.

2 e. A nonresident landowner who owns additional land  
3 suitable for crop or livestock production, as determined by the  
4 department of agriculture and land stewardship, shall include  
5 with the application an affidavit explaining the nonresident  
6 landowner's efforts to secure a beginning farmer, as defined  
7 in section 16.58, as a tenant.

8 Sec. 5. Section 483A.24, subsection 1, Code 2020, is amended  
9 to read as follows:

10 1. Owners, former owners, or tenants of land, and their  
11 minor children, may hunt, fish, or trap upon such lands and may  
12 shoot by lawful means ground squirrels, gophers, or woodchucks  
13 upon adjacent roads without securing a license so to do; ~~except~~  
14 however, special licenses to hunt deer and wild turkey shall  
15 be required of owners and tenants but ~~they~~ owners and tenants  
16 shall not be required to have a special wild turkey hunting  
17 license to hunt wild turkey on a hunting preserve licensed  
18 under chapter 484B. For purposes of this subsection, "former  
19 owner" means a person who is a nonresident but previously  
20 qualified as an owner as defined in subsection 2, paragraph "a",  
21 and has a resident spouse or child who is a current owner of the  
22 same land.

23 EXPLANATION

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

26 This bill relates to nonresident deer hunting on land owned  
27 or formerly owned by a nonresident.

28 The bill creates a definition for "nonresident landowner",  
29 which is a nonresident who owns at least 40 acres of land in  
30 this state, has owned that land for at least five years, and  
31 has not used an exemption from property taxes for forest and  
32 fruit tree reservations for any property the nonresident owns.  
33 The bill allows a nonresident landowner to apply once per year  
34 for two antlered or any sex deer hunting licenses for use  
35 on the nonresident landowner's property. Licenses issued in

1 this manner are not included in the allotment of nonresident  
2 deer hunting licenses issued by the commission. A nonresident  
3 landowner applying for the property-specific licenses shall  
4 pay a \$10 habitat fee for deer herd management in addition to  
5 purchasing a nonresident annual hunting license that includes  
6 the wildlife habitat fee and paying the general \$1 fee for  
7 deer herd management. If one or more parcels of land have  
8 multiple nonresident landowners, no more than two nonresident  
9 landowner deer hunting licenses may be used on a shared parcel.  
10 The department shall require proof of land ownership from the  
11 nonresident landowner and the nonresident landowner shall enter  
12 a wild animal depredation agreement with the department for  
13 purposes of limiting potential damage to crops, horticultural  
14 products, trees, and nurseries due to wild animals. If the  
15 nonresident landowner owns additional land that the department  
16 of agriculture and land stewardship determines is suitable  
17 for crop or livestock production, the nonresident landowner  
18 shall include with the application an affidavit explaining the  
19 nonresident landowner's efforts to secure a beginning farmer  
20 as a tenant.

21 The bill creates a definition of "former owner", which is  
22 a nonresident who previously qualified as an owner under Code  
23 section 483A.24, subsection 2, and who has a resident spouse or  
24 child who currently qualifies as an owner on the same property.  
25 The bill extends the privilege to hunt without a license on  
26 one's own land to former owners.

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