

Senate Study Bill 3129 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
NATURAL RESOURCES AND
ENVIRONMENT BILL BY
CHAIRPERSON ROZENBOOM)

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:

DIVISION I

NONRESIDENT LANDOWNERS

1
2
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
21 the number of nonresidents allowed to have antlered or any
22 sex deer hunting licenses. Of the six thousand nonresident
23 antlered or any sex deer hunting licenses issued, not
24 more than thirty-five percent of the licenses shall be bow
25 season licenses. After the six thousand antlered or any
26 sex nonresident deer hunting licenses have been issued, all
27 additional nonresident deer licenses shall be issued for
28 antlerless deer only. The commission shall annually determine
29 the number of nonresident antlerless deer only deer hunting
30 licenses that will be available for issuance. The limits
31 established in this paragraph shall not apply to licenses for
32 nonresident landowners issued pursuant to subsection 5.

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

35 5. A nonresident owning land in this state who is not a

1 nonresident landowner as defined in section 483A.1, subsection
2 8A, or is otherwise ineligible under subsection 5A of this
3 section may apply for a nonresident antlered or any sex deer
4 hunting license, and the provisions of [subsection 3](#) shall
5 apply. However, if a nonresident owning land in this state
6 is unsuccessful in obtaining one of the nonresident antlered
7 or any sex deer hunting licenses, the ~~landowner~~ nonresident
8 owning land in this state shall be given preference for one
9 of the antlerless deer only nonresident deer hunting licenses
10 available pursuant to [subsection 3](#). A nonresident owning land
11 in this state shall pay the fee for a nonresident antlerless
12 only deer hunting license and the license shall be valid to
13 hunt on the nonresident's land only. If one or more parcels
14 of land have multiple nonresident owners, only one of the
15 nonresident owners is eligible for a nonresident antlerless
16 only deer hunting license. If a nonresident jointly owns land
17 in this state with a resident, the nonresident shall not be
18 given preference for a nonresident antlerless only deer hunting
19 license. The department may require proof of land ownership
20 from a nonresident landowner applying for a nonresident
21 antlerless only deer hunting license.

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

24 NEW SUBSECTION. 5A. *a.* A nonresident landowner meeting all
25 the criteria outlined in this subsection may apply and shall be
26 eligible for two nonresident antlered or any sex deer hunting
27 licenses valid to hunt on all land owned by the nonresident
28 only, and the provisions of [subsection 3](#), paragraph "a", shall
29 apply.

30 *b.* A nonresident landowner may only make one application
31 annually.

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

35 *d.* The department shall require proof of land ownership from

1 a nonresident landowner applying for a nonresident landowner
2 deer hunting license and a depredation agreement under
3 chapter 481C to limit potential damage to crops, horticultural
4 products, trees, or nurseries due to wild animals.

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

11 DIVISION II

12 FORMER OWNERS

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

15 1. Owners, former owners, as defined in subsection 2, or
16 tenants of land, and their minor children, may hunt, fish,
17 or trap upon such lands and may shoot by lawful means ground
18 squirrels, gophers, or woodchucks upon adjacent roads without
19 securing a license so to do; ~~except~~ however, special licenses
20 to hunt deer and wild turkey shall be required of owners and
21 tenants, and former owners hunting deer, but ~~they~~ owners and
22 tenants shall not be required to have a special wild turkey
23 hunting license to hunt wild turkey on a hunting preserve
24 licensed under [chapter 484B](#).

25 Sec. 6. Section 483A.24, subsection 2, paragraph a, Code
26 2020, is amended by adding the following new subparagraph:

27 NEW SUBPARAGRAPH. (03) "*Former owner*" means a person who is
28 a nonresident but previously qualified as an owner and has a
29 current resident spouse or child who is a current owner of the
30 same land.

31 Sec. 7. Section 483A.24, subsection 2, paragraphs c, d, and
32 e, Code 2020, are amended to read as follows:

33 c. Upon written application on forms furnished by the
34 department, the department shall issue annually without fee two
35 deer hunting licenses, one antlered or any sex deer hunting

1 license and one antlerless deer only deer hunting license,
2 to the owner of a farm unit, a former owner of a farm unit,
3 or a member of the owner's family, but only a total of two
4 licenses ~~for both~~ between them, and to the tenant of a farm
5 unit or a member of the tenant's family, but only a total of
6 two licenses for both. The deer hunting licenses issued shall
7 be valid only for use on the farm unit for which the applicant
8 applies pursuant to this paragraph. The owner, former owner,
9 or the tenant need not reside on the farm unit to qualify for
10 the free deer hunting licenses to hunt on that farm unit. The
11 free deer hunting licenses issued pursuant to this paragraph
12 shall be valid and may be used during any bow or firearm deer
13 hunting season. The licenses may be used to harvest deer in
14 two different seasons. In addition, a person who receives a
15 free deer hunting license pursuant to this paragraph shall
16 pay a one dollar fee for each license that shall be used
17 and is appropriated for the purpose of deer herd population
18 management, including assisting with the cost of processing
19 deer donated to the help us stop hunger program administered
20 by the commission.

21 *d.* In addition to the free deer hunting licenses received
22 pursuant to paragraph "c", an owner of a farm unit, a former
23 owner of a farm unit, or a member of the owner's family and the
24 tenant or a member of the tenant's family may purchase a deer
25 hunting license for any option offered to paying deer hunting
26 licensees. An owner of a farm unit, a former owner of a farm
27 unit, or a member of the owner's family and the tenant or a
28 member of the tenant's family may also purchase two additional
29 antlerless deer hunting licenses ~~which~~ that are valid only on
30 the farm unit for a fee established by rules adopted pursuant
31 to [section 483A.1](#).

32 *e.* If the commission establishes a deer hunting season to
33 occur in the first quarter of a calendar year that is separate
34 from a deer hunting season that continues from the last quarter
35 of the preceding calendar year, each owner, each former owner,

1 and each tenant of a farm unit located within a zone where a
2 deer hunting season is established, upon application, shall be
3 issued a free deer hunting license for each of the two calendar
4 quarters. Each license is valid only for hunting on the farm
5 unit of the owner and tenant.

6 EXPLANATION

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

9 This bill relates to nonresident deer hunting on land owned
10 or formerly owned by a nonresident.

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

1 efforts to secure a beginning farmer as a tenant.

2 The bill creates a definition of "former owner", which is
3 a nonresident who previously qualified as an owner under Code
4 section 483A.24, subsection 2, and who has a resident spouse or
5 child who currently qualifies as an owner on the same property.
6 The bill extends the privilege to hunt without a license on
7 one's own land to former owners. The bill makes the former
8 owner eligible to receive free deer hunting licenses for use on
9 the property and purchase additional antlerless deer only deer
10 hunting licenses for use on the property. If the commission
11 establishes a deer hunting season to occur in the first quarter
12 of a calendar year that is separate from a deer hunting season
13 that continues from the last quarter of the preceding calendar
14 year, each former owner of a farm unit in a zone where a deer
15 hunting season is established may receive a free deer hunting
16 license for each of the calendar quarters for use on the farm
17 unit.

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