

House File 2400 - Introduced

HOUSE FILE 2400
BY COMMITTEE ON NATURAL
RESOURCES

(SUCCESSOR TO HSB 700)

A BILL FOR

1 An Act relating to the hunting of untamed game livestock on
2 hunting preserves and making penalties applicable.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 481A.125A, subsections 1 and 2, Code
2 2022, are amended to read as follows:

3 1. As used in [this section](#), *“remote control or internet*
4 *hunting”* means use of a computer or other electronic device,
5 equipment, or software to remotely control the aiming or
6 discharge of a firearm or other weapon, allowing a person who
7 is not physically present to take ~~a wild animal~~, a game bird,
8 untamed game livestock, or ungulate kept on a hunting preserve
9 under [chapter 484B](#), a wild animal, or a preserve whitetail kept
10 on a hunting preserve under [chapter 484C](#).

11 2. A person shall not offer for sale, take, or assist in the
12 taking of ~~a wild animal~~, a game bird, untamed game livestock,
13 or ungulate kept on a hunting preserve under [chapter 484B](#), a
14 wild animal, or a preserve whitetail kept on a hunting preserve
15 under [chapter 484C](#), by remote control or internet hunting.

16 Sec. 2. Section 484B.1, Code 2022, is amended by adding the
17 following new subsection:

18 NEW SUBSECTION. 11. *“Untamed game livestock”* means bison,
19 sheep, or goats if the bison, sheep, or goats are birthed and
20 raised in this state for purposes of hunting on a preserve in
21 this state.

22 Sec. 3. Section 484B.4, Code 2022, is amended to read as
23 follows:

24 **484B.4 Hunting preserve operator’s license — application and**
25 **requirements.**

26 1. A person who owns or controls by lease or otherwise for
27 five or more years, a contiguous tract of land having an area
28 of not less than three hundred twenty acres, and who desires
29 to establish a hunting preserve, to propagate and sell game
30 birds and their young or unhatched eggs, and shoot game birds,
31 untamed game livestock, and ungulates on the land, under this
32 chapter or the rules of the commission, shall make application
33 to the department for an operator’s license. The application
34 shall be made under oath of the applicant or under oath of one
35 of its principal officers if the applicant is an association

1 or corporation. Under the authority of this license, any
2 property or facilities to be used for propagating, holding,
3 processing, or pasturing of game birds, untamed game livestock,
4 or ungulates shall not be required to be contained within
5 the contiguous land area used for hunting purposes. The
6 application shall be accompanied by an operator's license fee
7 of two hundred dollars.

8 2. Upon receipt of an application, the department or its
9 authorized agent shall inspect the proposed hunting preserve
10 and facilities described in the application. If the department
11 finds that the proposed hunting preserve meets the following
12 requirements, the department may approve the application and
13 issue a hunting preserve operator's license for the operation
14 of the property and facilities described in the application
15 with the rights and subject to the limitations in [this chapter](#)
16 and the rules adopted by the commission:

17 a. The proposed hunting preserve contains at least three
18 hundred twenty acres but not more than two thousand five
19 hundred sixty acres.

20 b. The area of the proposed hunting preserve is contiguous.

21 c. The total area of all licensed hunting preserves and the
22 proposed hunting preserve will not exceed three percent of the
23 land area of the county.

24 d. The game birds, untamed game livestock, or ungulates
25 released on the preserve will not be detrimental to wildlife.

26 e. The proposed hunting preserve will not interfere with the
27 normal activities of migratory birds.

28 3. All hunting preserve operator's licenses shall expire
29 on March 31 of each year unless the department has granted a
30 variance pursuant to section 484B.10, in which case the license
31 shall expire at the conclusion of the extended season.

32 Sec. 4. NEW SECTION. **484B.4B** Minimum enclosed acreage —
33 **untamed game livestock.**

34 1. A hunting preserve on which untamed game livestock are
35 kept must include at least three hundred twenty contiguous

1 acres that are enclosed by a fence as required pursuant to
2 section 484B.5. However, a person may keep untamed game
3 livestock only on a hunting preserve that includes a fewer
4 number of enclosed acres if the hunting preserve was operated
5 as a business on January 1, 2005. If the hunting preserve
6 operated as a business on January 1, 2005, the landowner or
7 the landowner's successor in interest may sell or otherwise
8 transfer ownership of the hunting preserve to another person
9 who may continue to operate the hunting preserve in the same
10 manner as the landowner.

11 2. This section shall not apply if the owner of the hunting
12 preserve or any successor in interest fails to meet the
13 licensing requirements of section 484B.4 each year.

14 Sec. 5. Section 484B.5, Code 2022, is amended to read as
15 follows:

16 **484B.5 Boundaries signed — fenced.**

17 Upon receipt of a hunting preserve operator's license,
18 the licensee shall promptly sign the licensed property with
19 signs prescribed by the department. A licensee holding and
20 releasing ungulates or untamed game livestock shall construct
21 and maintain boundary fences prescribed by the department so
22 as to enclose and contain all released ungulates or untamed
23 game livestock and exclude all ungulates ~~which~~ or wild animals
24 similar to untamed game livestock that are property of the
25 state from becoming a part of the hunting preserve enterprise.

26 Sec. 6. Section 484B.7, subsection 2, Code 2022, is amended
27 to read as follows:

28 2. Each licensee shall file an annual report with the
29 department on or before April 30. The report shall detail the
30 hunting preserve operations during the preceding license year.
31 The original report shall be forwarded to the department and a
32 copy shall be retained in the hunting preserve's file for three
33 years from the date of expiration of the hunting preserve's
34 last license issued. Records required by **this section** shall be
35 entered in the annual report record within twenty-four hours

1 of the event. Failure to keep or submit the required records
2 and reports is grounds for refusal to renew a license for
3 the succeeding year. An on-site inspection of property and
4 facilities shall be conducted by an authorized agent of the
5 department prior to the initial issuance of a hunting preserve
6 operator's license. The hunting preserve may be reinspected by
7 an agent of the department at any reasonable time. A licensed
8 hunting preserve shall maintain adequate facilities for all
9 designated birds, untamed game livestock, and ungulates held
10 under the hunting preserve operator's license.

11 Sec. 7. Section 484B.9, Code 2022, is amended to read as
12 follows:

13 **484B.9 Ungulate and untamed game livestock transportation**
14 **tags — markings.**

15 The department shall prepare transportation tags suitable
16 for use upon the carcass of ungulates and untamed game
17 livestock described in [this chapter](#). The tags shall be used
18 to designate all ungulates and untamed game livestock taken
19 by hunters upon a licensed hunting preserve. The department
20 shall provide licensees with the tags. All ungulates and
21 untamed game livestock taken on a licensed hunting preserve
22 shall be tagged with a numbered tag prior to being removed from
23 the hunting preserve. The hunter shall tag the ungulate or
24 untamed game livestock taken in accordance with the rules as
25 determined by the department. The tag shall remain attached
26 to the carcass of the dead ungulate or untamed game livestock
27 until processed for consumption. The hunter shall be provided
28 with a bill of sale by the licensee. The bill of sale shall
29 remain in the possession of the hunter. Ungulate tags issued
30 to a hunting preserve are not transferable.

31 Sec. 8. Section 484B.12, Code 2022, is amended to read as
32 follows:

33 **484B.12 Health requirements — ungulates and untamed game**
34 **livestock.**

35 All ungulates ~~which~~ and untamed game livestock that are

1 purchased, propagated, confined, released, or sold by a
2 licensed hunting preserve shall be free of diseases considered
3 significant for wildlife, poultry, or livestock. The
4 department of agriculture and land stewardship shall provide
5 for the regulation of farm deer as provided in [chapter 170](#).

6 Sec. 9. Section 717.2, Code 2022, is amended by adding the
7 following new subsection:

8 NEW SUBSECTION. 4. This section does not apply to a hunting
9 preserve facility, as defined in section 484B.1, provided that
10 the hunting preserve facility performs functions within the
11 scope of accepted practices and disciplines associated with a
12 hunting preserve.

13 EXPLANATION

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

16 This bill relates to hunting untamed game livestock on
17 hunting preserves.

18 The bill defines "untamed game livestock" as bison, sheep,
19 and goats that are birthed and raised in this state for
20 purposes of hunting on a preserve in this state. The bill
21 includes untamed game livestock in provisions in Code chapter
22 484B (hunting preserves) so that untamed game livestock are
23 regulated for hunting on a hunting preserve in a manner similar
24 to ungulates. Those provisions include licensing, acreage,
25 fencing, tagging, and health requirements.

26 The bill prohibits remotely taking an untamed game livestock
27 animal. A person who violates this prohibition commits a
28 serious misdemeanor and a subsequent violation is a class
29 "D" felony. The person is also subject to a civil penalty
30 not to exceed \$10,000. A serious misdemeanor is punishable
31 by confinement for no more than one year and a fine of at
32 least \$430 but not more than \$2,560. A class "D" felony is
33 punishable by confinement for no more than five years and a
34 fine of at least \$1,025 but not more than \$10,245.

35 The bill exempts untamed game livestock from prohibitions

1 related to livestock neglect provided that the hunting preserve
2 facility performs functions within the scope of accepted
3 practices and disciplines associated with a hunting preserve.
4 A person who commits a livestock neglect violation commits
5 either a simple or a serious misdemeanor. A simple misdemeanor
6 is punishable by confinement for no more than 30 days and a
7 fine of at least \$105 but not more than \$855.

8 The department of natural resources may revoke the hunting
9 license of a person who violates a general hunting preserve
10 violation relating to hunting untamed game livestock, subject
11 to rules established by the department. A person who pleads
12 guilty or is convicted of an offense while the person's license
13 or licenses have been suspended or revoked commits either a
14 simple, serious, or aggravated misdemeanor depending on how
15 many prior offenses the person has committed.