

**Senate File 369 - Introduced**

SENATE FILE 369

BY EDLER

**A BILL FOR**

1 An Act relating to the established season for hunting game  
2 birds on a preserve, and making penalties applicable.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 484B.1, subsection 5, Code 2021, is  
2 amended to read as follows:

3 5. "*Game birds*" means pen-reared birds of the ~~family~~  
4 gallinae order galliformes and pen-reared mallard ducks.

5 Sec. 2. Section 484B.10, subsection 1, Code 2021, is amended  
6 to read as follows:

7 1. a. A person shall not take a game bird or ungulate upon  
8 a hunting preserve, by shooting in any manner, except during  
9 the established season or as authorized by section 481A.56.  
10 The established season shall be September 1 through March 31  
11 of the succeeding year, both dates inclusive. The owner of  
12 a hunting preserve shall establish the hunting season for  
13 nonnative, pen-reared ungulates on the hunting preserve.

14 b. A game bird hunting preserve operator may apply for a  
15 variance to extend the season date beyond March 31 for that  
16 preserve if the monthly precipitation is above average for  
17 the county in which the preserve is located for at least two  
18 months out of the months of January, February, and March of  
19 that season. The state climatologist established pursuant to  
20 section 159.5 shall provide official national weather service  
21 and community collaborative rain, hail and snow network data  
22 to the department to determine whether a variance to the  
23 established season shall be granted. The department shall  
24 not grant a variance to a game bird preserve that extends the  
25 season beyond April 15 of the year for which the variance is  
26 requested. A person hunting on a game bird hunting preserve on  
27 a date after March 31 pursuant to an extension granted under  
28 this paragraph shall only hunt for and take chukars, quail, or  
29 rooster pheasants.

30 EXPLANATION

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

33 This bill relates to the established season for hunting game  
34 birds on a preserve.

35 Under current law, a person shall not take a game bird on a

1 hunting preserve except during the established hunting preserve  
2 season, which begins on September 1 and ends on March 31. The  
3 bill allows a game bird hunting preserve operator to apply for  
4 a variance to extend the season beyond March 31 if the monthly  
5 precipitation is above average for the county in which the  
6 preserve is located for at least two months out of the months  
7 of January, February, and March of that season. The bill  
8 requires the state climatologist to provide official national  
9 weather service and community collaborative rain, hail and  
10 snow network data to the department of natural resources to  
11 determine whether a variance to the established season shall  
12 be granted. The bill prohibits the department from granting a  
13 variance that extends the season beyond April 15 of the year  
14 for which the variance is requested. A person hunting on a  
15 game bird hunting preserve on a date after March 31 pursuant to  
16 an extension granted pursuant to the bill shall only hunt for  
17 and take chukars, quail, or rooster pheasants.

18 The bill also makes a change to the definition of "game bird"  
19 to reflect a recent reorganization of bird classification.

20 A person who violates the bill is guilty of a simple  
21 misdemeanor. A simple misdemeanor is punishable by confinement  
22 for no more than 30 days and a fine of at least \$105 but not  
23 more than \$855.