

Senate File 427 - Introduced

SENATE FILE 427

BY ROZENBOOM

A BILL FOR

1 An Act relating to deer population management, and including
2 effective date and retroactive applicability provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 481A.130, subsection 1, paragraph h,
2 Code 2021, is amended to read as follows:

3 ~~h. For each deer, except as provided in paragraph "g", and~~
4 ~~for~~ each swan or crane, one thousand five hundred dollars.

5 Sec. 2. Section 481C.2A, subsection 5, Code 2021, is amended
6 to read as follows:

7 5. The department shall administer and enforce the
8 administrative rules concerning deer depredation, including
9 issuance of deer depredation licenses and deer shooting
10 permits, that are established by the commission and subject to
11 the following conditions:

12 a. Except for a free license issued under subsection 1,
13 paragraph "b", the department shall require a fee of two dollars
14 for a license or permit issued pursuant to this section.

15 b. In addition to other times the department finds
16 necessary, the department shall allow licenses and permits
17 issued pursuant to this section to be used in the months of
18 September, October, November, and December.

19 Sec. 3. Section 483A.8, Code 2021, is amended by adding the
20 following new subsection:

21 NEW SUBSECTION. 9. The commission shall make available
22 for use in a January antlerless deer hunting season all unsold
23 antlerless deer hunting licenses that have been allocated
24 for use in a specific county. The commission shall allow a
25 person hunting with a license issued under this subsection to
26 use a rifle with a barrel length of at least sixteen inches
27 and firing centerfire ammunition propelling an expanding-type
28 bullet with a maximum diameter of no less than two hundred
29 twenty-three thousandths of one inch and no larger than
30 five hundred thousandths of one inch and with a published or
31 calculated muzzle energy of five hundred foot pounds or higher.

32 Sec. 4. DEER POPULATION STUDY. The department of natural
33 resources shall conduct a deer population study to determine
34 the estimated deer population in each county in this state,
35 which shall be supported by historical records dating back

1 to 1970. The department shall review and provide scientific
2 data relating to the environmental impact of excessive deer
3 populations, including the impact to crops and trees. The
4 department shall also review the spread of disease in deer
5 and other wildlife populations. Additionally, the report
6 shall include information on property loss, medical costs, and
7 fatalities due to deer-vehicle accidents. In conducting the
8 study, the department shall work with relevant representatives
9 from the Iowa state university of science and technology,
10 the department of transportation, and the insurance division
11 of the department of commerce. Expenses for conducting the
12 study shall be paid from the fish and wildlife protection fund
13 established in section 456A.17 and such payments are considered
14 a proper use of the funds for purposes of section 456A.27 and
15 Article VII, section 9, of the Constitution of the State of
16 Iowa. The department shall submit a report summarizing the
17 results of the study to the general assembly by January 1,
18 2022.

19 Sec. 5. REIMBURSEMENT PAYMENTS FOR UNLAWFULLY TAKEN
20 ANTLERLESS DEER — REFUNDS. A person convicted on or after
21 July 1, 2020, for unlawfully selling, taking, catching,
22 killing, injuring, destroying, or having in possession an
23 antlerless deer who has paid the reimbursement amount set forth
24 in section 481A.130, subsection 1, paragraph "h", shall be
25 refunded the difference between the person's payment and the
26 reimbursement amount set forth in section 481A.130, subsection
27 1, paragraph "c".

28 Sec. 6. EFFECTIVE DATE. The following, being deemed of
29 immediate importance, take effect upon enactment:

30 1. The section of this Act amending section 481A.130.

31 2. The section of this Act requiring the issuance of a
32 refund for a reimbursement payment made pursuant to section
33 481A.130 for a conviction entered on or after July 1, 2020,
34 for unlawfully selling, taking, catching, killing, injuring,
35 destroying, or having in possession an antlerless deer.

1 Sec. 7. RETROACTIVE APPLICABILITY. The following applies
2 retroactively to July 1, 2020, to persons convicted on or after
3 that date for unlawfully selling, taking, catching, killing,
4 injuring, destroying, or having in possession an antlerless
5 deer:

6 The section of this Act amending section 481A.130.

7 EXPLANATION

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

10 This bill relates to deer population management.

11 Current law provides that a person convicted of unlawfully
12 selling, taking, catching, killing, injuring, destroying,
13 or having in possession an antlerless deer shall reimburse
14 the state \$1,500. The bill removes antlerless deer from the
15 provision that sets the reimbursement value at \$1,500. Because
16 damages are not otherwise prescribed for an antlerless deer,
17 a person convicted of unlawfully selling, taking, catching,
18 killing, injuring, destroying, or having in possession an
19 antlerless deer shall reimburse the state \$50. This provision
20 takes effect upon enactment and applies retroactively to
21 July 1, 2020, to persons convicted on or after that date
22 for unlawfully selling, taking, catching, killing, injuring,
23 destroying, or having in possession an antlerless deer. A
24 person convicted on or after July 1, 2020, for unlawfully
25 selling, taking, catching, killing, injuring, destroying,
26 or having in possession an antlerless deer who has paid the
27 current reimbursement amount for an antlerless deer shall
28 be refunded the difference between the person's payment and
29 the reimbursement amount set forth in Code section 481A.130,
30 subsection 1, paragraph "c".

31 In administering and enforcing administrative rules relating
32 to deer depredation, the bill requires the department of
33 natural resources (DNR) to require payment of a \$2 fee for the
34 issuance of a deer depredation license or permit. The bill
35 also requires DNR to allow deer depredation tags to be filled

1 in the months of September, October, November, and December, in
2 addition to any other time that DNR finds necessary.

3 Under current law, deer hunting licenses are allocated by
4 zones and counties. The bill requires the natural resource
5 commission to make available for use in a January antlerless
6 deer hunting season all unsold antlerless deer hunting licenses
7 that have been allocated for use in a specific county. The
8 bill requires the commission to allow a person hunting with a
9 license issued for the January antlerless deer hunting season
10 to use a rifle with a barrel length of at least 16 inches and
11 firing centerfire ammunition propelling an expanding-type
12 bullet with a maximum diameter of no less than 0.233 inches and
13 no larger than 0.500 inches and with a published or calculated
14 muzzle energy of 500 foot pounds or higher.

15 The bill requires DNR to conduct a deer population study to
16 determine the estimated deer population in each county in this
17 state. The bill requires DNR to review and provide scientific
18 data relating to the environmental impact of excessive deer
19 populations, including the impact to crops and trees, review
20 information relating to the spread of disease in deer and other
21 wildlife populations, and include information on property loss,
22 medical costs, and fatalities due to deer-vehicle accidents.
23 The bill requires DNR to work with relevant representatives
24 from the Iowa state university of science and technology, the
25 department of transportation, and the insurance division of
26 the department of commerce. Expenses for conducting the study
27 shall be paid from the fish and wildlife protection fund. The
28 bill requires DNR to submit a report to the general assembly
29 by January 1, 2022.