

Senate File 173 - Introduced

SENATE FILE 173

BY SWEENEY

A BILL FOR

1 An Act relating to taking certain animals that are deemed a
2 nuisance.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 481A.87, Code 2023, is amended to read
2 as follows:

3 **481A.87 Open seasons.**

4 1. Except as otherwise provided, a person shall not take,
5 capture, kill, or have in possession a fur-bearing animal or
6 any of its parts at any time except during the open season as
7 set by the commission ~~except where.~~

8 2. A person may kill, trap, or ensnare a fur-bearing
9 animal when the killing, trapping, or ensnaring is for the
10 protection of a person or public or private property with the
11 prior permission of a duly appointed representative of the
12 commission. If prior permission is impractical or impossible
13 to obtain and the fur-bearing animal represents a threat to a
14 person, domestic animal, or private property, the fur-bearing
15 animal may be taken without prior permission.

16 3. Prior permission is not required for an owner or tenant
17 of agricultural property or an associated residence, or an
18 agent of the owner or tenant, to take, capture, kill, or
19 temporarily possess, for the purpose of destroying or disposing
20 of, a coyote, raccoon, opossum, skunk, or groundhog on the
21 property if the owner, tenant, or agent deems the animal to be
22 a nuisance.

23 4. All fur-bearing animals and all parts thereof taken as
24 provided in ~~this section~~ subsection 2 or 3 shall be disposed
25 of on the site or shall be relinquished to a representative of
26 the commission.

27 EXPLANATION

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

30 This bill relates to the taking of fur-bearing animals
31 without prior permission of the natural resource commission
32 (NRC).

33 Under current law, a person may kill, trap, or ensnare a
34 fur-bearing animal outside of the open season if the killing,
35 trapping, or ensnaring is for the protection of a person or

1 public or private property and with the prior permission of
2 a duly appointed representative of NRC. A person may take
3 a fur-bearing animal without receiving prior permission if
4 prior permission is impractical or impossible to obtain and the
5 fur-bearing animal represents a threat to a person, domestic
6 animal, or private property.

7 Under the bill, an owner or tenant of agricultural property
8 or an associated residence, or an agent of the owner or
9 tenant, may take, capture, kill, or temporarily possess,
10 for the purpose of destroying or disposing of, a coyote,
11 raccoon, opossum, skunk, or groundhog without receiving prior
12 permission if the owner, tenant, or agent deems the animal to
13 be a nuisance. Any fur-bearing animal taken pursuant to an
14 exception in Code section 481A.87 shall be disposed of onsite
15 or shall be relinquished to a representative of the commission.