

Senate File 358 - Introduced

SENATE FILE 358
BY COMMITTEE ON NATURAL
RESOURCES AND ENVIRONMENT

(SUCCESSOR TO SF 173)

(COMPANION TO HF 317 BY
COMMITTEE ON NATURAL
RESOURCES)

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 shoot, 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 to take,
18 capture, shoot, or temporarily possess, for the purpose of
19 destroying or disposing of, a raccoon, opossum, or skunk on the
20 property if the owner, tenant, or agent deems the animal to be
21 a nuisance. This subsection does not apply to animals listed
22 pursuant to the federal Endangered Species Act or listed as
23 endangered by the commission pursuant to section 481B.3.

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

28 EXPLANATION

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

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

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

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

8 Under the bill, an owner or tenant of agricultural property
9 or an associated residence, or an agent of the owner or tenant,
10 may take, capture, shoot, or temporarily possess, for the
11 purpose of destroying or disposing of, a raccoon, opossum, or
12 skunk without receiving prior permission if the owner, tenant,
13 or agent deems the animal to be a nuisance. The bill does not
14 authorize a person to take, capture, shoot, or temporarily
15 possess an animal listed pursuant to the federal Endangered
16 Species Act or listed as endangered by NRC. Any fur-bearing
17 animal taken pursuant to an exception in Code section 481A.87
18 shall be disposed of onsite or shall be relinquished to a
19 representative of the commission.