

Senate File 114 - Introduced

SENATE FILE 114
BY DRISCOLL

A BILL FOR

1 An Act relating to the baiting of deer on public or private
2 property and providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. **481A.41 Baiting of deer.**

2 1. As used in this section, unless the context otherwise
3 requires:

4 a. "Baited area" means any area where feed is placed,
5 exposed, deposited, distributed, or scattered with the intent to
6 lure, attract, or entice wildlife to a specific location.

7 b. (1) "Feed" means any of the following materials that are
8 capable of luring, attracting, or enticing wildlife to a specific
9 location:

10 (a) Grain, fruit, vegetables, nuts, hay, salt, mineral
11 blocks, or any other natural food materials.

12 (b) Commercial products containing natural food materials.

13 (c) By-products of materials listed in subparagraph division
14 (a) or (b).

15 (2) "Feed" does not include any of the following:

16 (a) Food placed during normal agricultural activities
17 including but not limited to feed placed for livestock that are
18 present and are actively consuming the feed on a regular basis.

19 (b) Incidental feeding of wildlife within an active livestock
20 operation.

21 (c) Crops planted and left standing as food plots for
22 wildlife.

23 (d) Grain or other feed scattered or distributed as a result
24 of normal agricultural, gardening, soil stabilization, or logging
25 practices.

26 (e) Vegetation or other feed that is naturally deposited in
27 an area.

28 2. A person shall not hunt, take, or attempt to take deer on
29 or in a baited area.

30 3. A person shall not place, expose, deposit, distribute, or
31 scatter feed on a baited area on any private or public property,
32 or knowingly allow another person to place, expose, deposit,
33 distribute, or scatter feed on a baited area on private property
34 under the person's ownership or lease in the state unless all
35 feed is removed from the baited area at least ten days prior to

1 the opening day of the first fall deer hunting season. An area
2 remains a baited area for ten days following complete removal of
3 all feed from the area, except for salt, minerals, or any other
4 feed that will dissolve and leach into the soil, in which case
5 the area shall be considered a permanently baited area until such
6 time as all contaminated soil is removed or until there is no
7 longer evidence that deer are artificially attracted to or are
8 accessing the site. A person shall not hunt, take, or attempt
9 to take deer within two hundred yards of a permanently baited
10 area until such time as all contaminated soil is removed from
11 the area or until there is no evidence that deer are artificially
12 attracted to or are accessing the area.

13 4. If salt, minerals, or any other feed that will dissolve
14 and leach into the soil is placed in an area for agricultural
15 purposes, that area shall not be considered a baited area or a
16 permanently baited area.

17 5. A person shall not establish a baited area or place,
18 expose, deposit, distribute, or scatter feed in an area with the
19 intent to prevent or disrupt the hunting activities of another
20 person. A violation of this subsection constitutes a violation
21 of section 481A.125.

22 EXPLANATION

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

25 This bill prohibits hunting, taking, or attempting to take
26 deer on or in a baited area. The bill also provides that if
27 a person places feed in a baited area, all feed must be removed
28 from that area at least 10 days before the opening day of the
29 first fall deer hunting season. An area remains a baited area
30 for 10 days following complete removal of all feed from the area,
31 except for salt, minerals, or any other feed that will dissolve
32 and leach into the soil, in which case the area is considered a
33 permanently baited area until such time as all contaminated soil
34 is removed or until there is no longer evidence that deer are
35 artificially attracted to or are accessing the site. A person

1 shall not hunt, take, or attempt to take deer within 200 yards
2 of a permanently baited area until such time as all contaminated
3 soil is removed from the area or until there is no evidence that
4 deer are artificially attracted to or are accessing the area.

5 If salt, minerals, or any other feed that will dissolve
6 and leach into the soil is placed in an area for agricultural
7 purposes, that area is not considered a baited area or a
8 permanently baited area.

9 A person shall not establish a baited area or place, expose,
10 deposit, distribute, or scatter feed in an area with the
11 intent to prevent or disrupt the hunting activities of another
12 person. A violation of this provision constitutes intentional
13 interference with lawful hunting under Code section 481A.125 and
14 is punishable as a simple misdemeanor for a first offense and
15 as a serious misdemeanor for any subsequent offense. A simple
16 misdemeanor is punishable by confinement for no more than 30 days
17 and a fine of at least \$105 but not more than \$855. A serious
18 misdemeanor is punishable by confinement for no more than one
19 year and a fine of at least \$430 but not more than \$2,560.

20 For purposes of the bill, "feed" includes any of the
21 following materials that are capable of luring, attracting,
22 or enticing wildlife to a specific location: grain, fruit,
23 vegetables, nuts, hay, salt, mineral blocks, or any other
24 natural food materials; commercial products containing natural
25 food materials; or by-products of such materials. "Feed" does
26 not include food placed during normal agricultural activities
27 including but not limited to feed placed for livestock that
28 are present and are actively consuming the feed on a regular
29 basis; incidental feeding of wildlife within an active livestock
30 operation; crops planted and left standing as food plots for
31 wildlife; grain or other feed scattered or distributed as a
32 result of normal agricultural, gardening, soil stabilization, or
33 logging practices; or vegetation or other feed that is naturally
34 deposited in an area. A "baited area" is any area where feed
35 is placed, exposed, deposited, distributed, or scattered with

1 the intent to lure, attract, or entice wildlife to a specific
2 location.

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