

CHAPTER 1211
UNLAWFUL TAKING OF GAME AND FISH
H.F. 2398

AN ACT relating to a penalty for taking certain game and fish in violation of law.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 109.130, Code 1981, is amended by adding the following new subsections:

NEW SUBSECTION. For each fish, five dollars.

NEW SUBSECTION. For each beaver, mink, otter, red fox, gray fox or raccoon, one hundred dollars.

Sec. 2. Section 109.130, unnumbered paragraph 1, Code 1981, is amended to read as follows:

In addition to the penalties for violations of this chapter, any person convicted of unlawfully taking, catching, killing, injuring, destroying, or having in possession any fish, game, or fur-bearing animal, shall reimburse the state for the value of such as follows:

Sec. 3. Section 109.130, subsections 1, 2 and 3, Code 1981, are amended to read as follows:

1. For each deer, elk, antelope, buffalo or moose, ~~three hundred~~ seven hundred fifty dollars.

2. For each wild turkey, ~~one~~ two hundred dollars.

3. For each game bird, fur-bearing animal or game animal or the raw pelt or plumage of such game for which damages are not otherwise prescribed, twenty-five to fifty dollars.

Sec. 4. Section 109.131, Code 1981, is amended to read as follows:

109.131 JUDGMENT—EXECUTION. In each case of conviction of unlawfully taking, catching, killing, injuring, destroying or having in possession any fish, game or fur-bearing animal, the court shall enter a judgment in favor of the state of Iowa for liquidated damages in an amount as provided in section 109.130, and it shall be the duty of the state conservation commission and the prosecuting attorney or attorney general, to collect the liquidated damages by execution or otherwise. If two or more persons who have acted together are convicted of the unlawful taking, catching, killing, injuring, destroying or having possession of any fish, game or fur-bearing animal, the judgment shall be entered against them jointly. Any liquidated damages received under this section and section 109.130 shall be remitted to the treasurer of state who shall credit such damages to the state fish and game protection fund.

The return of any uninjured fish, game or fur-bearing animal which has been unlawfully taken, caught, or possessed, to the place where taken or caught or to any other place approved by the state conservation commission, shall constitute the discharge of any liquidated damages provided under section 109.130.

Civil suits for the collection of judgments may be prosecuted by the attorney general or by county attorneys.

Approved May 21, 1982