

State of Arizona
House of Representatives
Fifty-second Legislature
First Regular Session
2015

CHAPTER 215

House Engrossed
FILED
MICHELE REAGAN
SECRETARY OF STATE

HOUSE BILL 2399

AN ACT

AMENDING SECTION 17-340, ARIZONA REVISED STATUTES; RELATING TO THE TAKING AND HANDLING OF WILDLIFE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 17-340, Arizona Revised Statutes, is amended to
3 read:

4 17-340. Revocation, suspension and denial of privilege of
5 taking wildlife; notice; violation; classification

6 A. On conviction or after adjudication as a delinquent juvenile as
7 defined in section 8-201 and in addition to other penalties prescribed by
8 this title, the commission, after a public hearing, may revoke or suspend a
9 license issued to any person under this title and deny the person the right
10 to secure another license to take or possess wildlife for a period of not to
11 exceed five years for:

12 1. Unlawful taking, unlawful selling, unlawful offering for sale,
13 unlawful bartering or unlawful possession of wildlife.

14 2. Careless use of firearms ~~which~~ THAT has resulted in the injury or
15 death of any person.

16 3. Destroying, injuring or molesting livestock, or damaging or
17 destroying growing crops, personal property, notices or signboards, or other
18 improvements while hunting, trapping or fishing.

19 4. Littering public hunting or fishing areas while taking wildlife.

20 5. Knowingly allowing another person to use the person's big game tag,
21 except as provided by section 17-332, subsection D.

22 6. A violation of section 17-303, 17-304, 17-316 or 17-341 or section
23 17-362, subsection A.

24 7. A violation of section 17-309, subsection A, paragraph 5 involving
25 a waste of edible portions other than meat damaged due to the method of
26 taking as follows:

27 (a) Upland game birds, migratory game birds and wild turkey: breast.

28 (b) Deer, elk, pronghorn (antelope), bighorn sheep, bison (buffalo)
29 and peccary (javelina): hind quarters, front quarters and loins.

30 (c) Game fish: fillets of the fish.

31 8. A violation of section 17-309, subsection A, paragraph 1 involving
32 any unlawful use of aircraft to take, assist in taking, harass, chase, drive,
33 locate or assist in locating wildlife.

34 B. On conviction or after adjudication as a delinquent juvenile and in
35 addition to any other penalties prescribed by this title:

36 1. For a first conviction or a first adjudication as a delinquent
37 juvenile, for unlawfully taking or wounding wildlife at any time or place,
38 the commission, after a public hearing, may revoke, suspend or deny a
39 person's privilege to take wildlife for a period of up to five years.

40 2. For a second conviction or a second adjudication as a delinquent
41 juvenile, for unlawfully taking or wounding wildlife at any time or place,
42 the commission, after a public hearing, may revoke, suspend or deny a
43 person's privilege to take wildlife for a period of up to ten years.

44 3. For a third conviction or a third adjudication as a delinquent
45 juvenile, for unlawfully taking or wounding wildlife at any time or place,

1 the commission, after a public hearing, may revoke, suspend or deny a
2 person's privilege to take wildlife permanently.

3 C. A person who is assessed civil damages under section 17-314 shall
4 not apply for or obtain a license during the pendency of an action for
5 damages, while measures are pursued to collect damages or prior to the full
6 payment of damages.

7 D. On receiving a report from the licensing authority of a state which
8 THAT is a party to the wildlife violator compact, adopted under chapter 5 of
9 this title, that a resident of this state has failed to comply with the terms
10 of a wildlife citation, the commission, after a public hearing, may suspend
11 any license issued under this title to take wildlife until the licensing
12 authority furnishes satisfactory evidence of compliance with the terms of the
13 wildlife citation.

14 E. In carrying out this section the director shall notify the
15 licensee, within one hundred eighty days after conviction, to appear and show
16 cause why the license should not be revoked, suspended or denied. The notice
17 may be served personally or by certified mail sent to the address appearing
18 on the license.

19 F. The commission shall furnish to license dealers the names and
20 addresses of persons whose licenses have been revoked or suspended, and the
21 periods for which they have been denied the right to secure licenses.

22 G. The commission may use the services of the office of administrative
23 hearings to conduct hearings and to make recommendations to the commission
24 pursuant to this section.

25 H. Except for a person who takes or possesses wildlife while under
26 permanent revocation, a person who takes wildlife in this state, or attempts
27 to obtain a license to take wildlife, at a time when the person's privilege
28 to do so is suspended, revoked or denied under this section is guilty of a
29 class 1 misdemeanor.

APPROVED BY THE GOVERNOR APRIL 6, 2015.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 7, 2015.

Passed the House February 12, 20 15

Passed the Senate March 31, 20 15

by the following vote: 58 Ayes,

by the following vote: 29 Ayes,

0 Nays, 2 Not Voting

0 Nays, 1 Not Voting

[Signature]

Speaker of the House

Pro Tempore
Jim Drake
Chief Clerk of the House

[Signature]

President of the Senate

Charmain Belington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

1st day of April, 20 15

at 11:19 o'clock A. M.

[Signature]
Secretary to the Governor

Approved this 6th day of

April

at 1:06 o'clock P. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 7th day of April, 20 15

at 8:30 o'clock A. M.

[Signature]
Secretary of State

H.B. 2399