

SENATE BILL NO. 213—SENATORS PARKS, MANENDO, SPEARMAN,
SEGERBLOM; AND WOODHOUSE (BY REQUEST)

MARCH 4, 2013

JOINT SPONSORS: ASSEMBLYMEN CARLTON, OHRENSCHALL;
MARTIN, MUNFORD AND PIERCE

Referred to Committee on Natural Resources

SUMMARY—Revises certain provisions relating to the trapping of
wild animals. (BDR 45-450)

FISCAL NOTE: Effect on Local Government: Increases or Newly
Provides for Term of Imprisonment in County or City
Jail or Detention Facility.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to trapping; requiring the registration of each trap,
snare, poisoning device or similar device used in the
taking of wild mammals; authorizing the removal or
disturbance of a trap, snare, poisoning device or similar
device under certain circumstances; requiring the marking
of a trap, snare, poisoning device or similar device with a
warning flag; increasing the frequency of required visits
for a trap, snare, poisoning device or similar device;
providing a penalty; and providing other matters properly
relating thereto.

Legislative Counsel's Digest:

1 Existing law requires a person who takes fur-bearing mammals by any legal
2 method or unprotected mammals by trapping to obtain a trapping license. (NRS
3 503.454) Existing law also provides that each trap, snare or similar device used in
4 the taking of wild mammals may bear a number registered with the Department of
5 Wildlife or may be permanently marked with the name and address of the owner or
6 trapper using it. If a trap is registered, the registration is permanent and the
7 registrant must pay a one-time fee of \$10 at the time the first trap, snare or similar
8 device is registered. (NRS 503.452) **Section 3** of this bill amends those provisions
9 by: (1) requiring each trap, snare, poisoning device or similar device used in the
10 taking of wild mammals to be registered with the Department of Wildlife; and



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(2) requiring each registered trap, snare, poisoning device or similar device to bear a number assigned by the Department or be permanently marked with the name and address of the owner or trapper using it.

Under existing law, it is unlawful to move or disturb a lawfully-set trap. (NRS 503.454) **Section 4** of this bill removes this prohibition for a trap, snare, poisoning device or similar device that creates immediate and obvious risk or injury or death to persons, pets and service animals. **Section 4** also requires a person who sets a trap, snare, poisoning device or similar device to mark the locations of those devices with flags.

Existing law requires each person who sets or places a trap, snare or similar device to visit those devices at least once every 96 hours and requires the removal of trapped animals from the devices. (NRS 503.570) **Section 5** of this bill increases the required frequency of those visits to at least once every 24 hours. Under existing law, employees of the State Department of Agriculture and the United States Department of Agriculture are exempt from this requirement when acting in their official capacities. (NRS 503.570) **Section 5** deletes this exemption, notwithstanding any applicable federal immunity or preemption.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 501 of NRS is hereby amended by adding thereto a new section to read as follows:

"Trap" means a device that is designed, built or made to close upon or hold fast any portion of an animal.

Sec. 2. NRS 501.001 is hereby amended to read as follows:

501.001 As used in this title, unless the context otherwise requires, the words and terms defined in NRS 501.003 to 501.097, inclusive, ***and section 1 of this act*** have the meanings ascribed to them in those sections.

Sec. 3. NRS 503.452 is hereby amended to read as follows:

503.452 ***1. Each trap, snare, poisoning device or similar device used in the taking of wild mammals ~~may~~ must be registered with the Department before it is used. Each registered trap, snare, poisoning device or similar device must*** bear a number ~~registered with~~ ***assigned by*** the Department or be permanently marked with the name and address of the owner or trapper using it. ~~If a trap is registered, the~~ ***The registration of a trap, snare, poisoning device or similar device is permanent.***

2. A registration fee of \$10 ~~for each registrant~~ is payable only once ~~by~~ by each person who registers a trap, snare, poisoning device or similar device. The fee must be paid at the time the first trap, snare, poisoning device or similar device is registered.

Sec. 4. NRS 503.454 is hereby amended to read as follows:

503.454 ***1. Every person who takes fur-bearing mammals by ~~any legal method~~ trap, snare, poisoning device or similar device***



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1 or unprotected mammals by trapping or sells raw furs for profit shall
2 procure a trapping license.

3 2. It is unlawful to remove or disturb the trap , *snare,*
4 *poisoning device or similar device* of any holder of a trapping
5 license while the trap , *snare, poisoning device or similar device* is
6 being legally used by the holder on public land or on land where the
7 holder has permission to trap ~~†~~ *unless the trap, snare, poisoning*
8 *device or similar device creates an immediate and obvious risk of*
9 *injury or death to any person, pet or service animal.*

10 3. *Every person who takes fur-bearing mammals or*
11 *unprotected mammals by trap, snare, poisoning device or similar*
12 *device shall mark each trap, snare, poisoning device or similar*
13 *device he or she sets with a flag which is clearly visible and of*
14 *sufficient size to warn a person who is in close proximity to the*
15 *trap, snare, poisoning device or similar device of its location.*

16 4. *As used in this section, "service animal" has the meaning*
17 *ascribed to it in NRS 426.097.*

18 **Sec. 5.** NRS 503.570 is hereby amended to read as follows:

19 503.570 ~~††~~ A person taking or causing to be taken ~~†wild~~
20 ~~mammals†~~ *animals* by means of traps, snares , *poisoning devices* or
21 ~~†any other†~~ *similar* devices ~~†which do not, or are not designed to,~~
22 ~~cause immediate death to the mammals,†~~ shall, if the traps, snares ,
23 *poisoning devices* or *similar* devices are placed or set to take
24 ~~†mammals,†~~ *animals*, visit or cause to be visited at least once each
25 ~~†96†~~ 24 hours each trap, snare , *poisoning device* or ~~†other†~~ *similar*
26 device during all of the time the trap, snare , *poisoning device* or
27 *similar* device is placed, set or used to take ~~†wild mammals,†~~
28 *animals*, and remove therefrom any ~~†mammals†~~ *animals* caught
29 therein.

30 ~~†2. The provisions of subsection 1 do not apply to employees~~
31 ~~of the State Department of Agriculture or the United States~~
32 ~~Department of Agriculture when acting in their official capacities.†~~

33 **Sec. 6.** 1. This section and sections 1, 2, 4 and 5 of this act
34 become effective upon passage and approval.

35 2. Section 3 of this act becomes effective upon passage and
36 approval for the purpose of adopting regulations and performing any
37 other preparatory administrative tasks that are necessary to carry out
38 the provisions of this act and on October 1, 2013, for all other
39 purposes.

