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SECOND REPRINT

A.B. 404

ASSEMBLY BILL NO. 404—ASSEMBLYMEN TITUS, ELLISON, TOLLES,
SWANK; KRASNER, LEAVITT AND WHEELER

MARCH 21, 2019

JOINT SPONSOR: SENATOR SETTELMAYER

Referred to Committee on Natural Resources,
Agriculture, and Mining

SUMMARY—Authorizes the Board of Wildlife Commissioners to establish a program authorizing certain persons to transfer, defer or return certain lawfully obtained tags if certain extenuating circumstances exist. (BDR 45-1029)

FISCAL NOTE: Effect on Local Government: No.
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 hunting; authorizing the Board of Wildlife Commissioners to establish a program authorizing a person to transfer, defer or return certain lawfully obtained tags if certain extenuating circumstances exist; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires a person who hunts any wildlife to obtain a license or permit to do so in this State. (NRS 502.010) In addition to a regular hunting license, existing law requires a person to obtain an additional license, known as a tag, to hunt any deer, elk, antelope, bighorn sheep, bear, moose, mountain lion or mountain goat. (NRS 502.130) Any license issued pursuant to title 45 of NRS relating to wildlife is: (1) not transferable to a person other than the person to whom the license was issued; and (2) subject to forfeiture if the license is transferred to another person. (NRS 502.100)

Section 1 of this bill authorizes the Board of Wildlife Commissioners to adopt regulations establishing: (1) conditions or events which are extenuating circumstances; (2) a process through which a person who holds a tag to hunt a big game mammal in this State and who claims an extenuating circumstance may provide documentation which shows that his or her condition or event qualifies as an extenuating circumstance; and (3) a program through which such a person who



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has proven that he or she qualifies for an extenuating circumstance may transfer, defer use of or return to the Department of Wildlife his or her tag to hunt a big game mammal in this State. **Section 1** further prohibits a person who transfers his or her tag to hunt big game mammals in this State from charging a fee or receiving any compensation for such a transfer. **Section 1** additionally provides that an extenuating circumstance is any illness, injury or other condition or event, as determined by the Commission, of a person who holds a tag to hunt a big game mammal in this State or a family member of such a person that causes the person who holds such a tag to be unable to use his or her tag to hunt a big game mammal in this State. **Section 6** of this bill makes a conforming change.

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

Section 1. Chapter 502 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Commission may adopt regulations establishing:

(a) Conditions or events which are extenuating circumstances;

(b) A process through which a big game hunter who claims an extenuating circumstance may provide documentation to the Department which shows that his or her condition or event qualifies as an extenuating circumstance; and

(c) A program through which a big game hunter who has proven that he or she qualifies for an extenuating circumstance pursuant to paragraph (b) may:

(1) Transfer his or her tag to another person who is otherwise eligible to hunt a big game mammal in this State;

(2) Defer his or her use of the tag to the next applicable open season; or

(3) Return his or her tag to the Department for restoration by the Department of any bonus points that he or she used to obtain the tag that is being returned.

2. If a big game hunter transfers his or her tag to another person pursuant to subparagraph (1) of paragraph (c) of subsection 1, the big game hunter may not charge a fee or receive any compensation for such a transfer.

3. As used in this section:

(a) "Big game hunter" means a person who holds a tag.

(b) "Extenuating circumstance" means any injury, illness or other condition or event, as determined by the Commission, of a big game hunter or a family member of a big game hunter that causes the big game hunter to be unable to use his or her tag.

(c) "Family member" means:

(1) A spouse of the big game hunter;

(2) A person who is related to the big game hunter within the first degree of consanguinity; or



- 1 (3) *A stepchild of the big game hunter.*
2 (d) *"Tag" means a tag to hunt a big game mammal in this*
3 *State.*
4 **Sec. 2.** (Deleted by amendment.)
5 **Sec. 3.** (Deleted by amendment.)
6 **Sec. 4.** (Deleted by amendment.)
7 **Sec. 5.** (Deleted by amendment.)
8 **Sec. 6.** NRS 502.100 is hereby amended to read as follows:
9 502.100 *Except as otherwise provided in section 1 of this act:*
10 1. No license provided by this title shall be transferable or used
11 by any person other than the person to whom it was issued.
12 2. Every person lawfully having such licenses who transfers or
13 disposes of the same to another person to be used as a hunting,
14 trapping or fishing license shall forfeit the same.
15 **Sec. 7.** This act becomes effective:
16 1. Upon passage and approval for purposes of adopting
17 regulations and any other preparatory administrative tasks that are
18 necessary to carry out the provisions of this act; and
19 2. On January 1, 2020, for all other purposes.

