

2019 Regular Session

HOUSE BILL NO. 182

BY REPRESENTATIVE CHANEY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

HUNTING: Provides for penalties for hunting without the required license

1 AN ACT

2 To amend and reenact R.S. 56:103(E) and to enact R.S. 56:103(G), relative to wildlife
3 violations; to provide for penalties for residents hunting, taking, possessing, or
4 transporting of wild bird or wild quadruped without the required license; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 56:103(E) is hereby amended and reenacted and R.S. 56:103(G) is
8 hereby enacted to read as follows:

9 §103. License; license books; returns; transfer of license prohibited

10 * * *

11 E. Every license shall by its terms be effective only during the open season
12 for the particular kinds of wild birds and wild quadrupeds authorized thereby to be
13 taken. Every such license shall be personal to the person to whom issued and shall
14 not be assigned or transferred to, or used by, any other person. Every officer
15 authorized to enforce the provisions of this Subpart shall take possession of any
16 license found in the possession of any person other than the one to whom issued and
17 deliver it to the department to be canceled. The license shall thereupon be null and
18 void. Licensees shall have licenses or an effective license number, together with a
19 form of physical identification, in their possession when hunting and shall produce
20 same upon demand of any person authorized to enforce the provisions of this

1 Subpart. ~~Any violation of this Subsection shall constitute a class three violation~~
2 ~~punishable as provided in R.S. 56:33.~~

3 * * *

4 G. Any violation of this Section shall constitute a class two violation
5 punishable as provided in R.S. 56:32.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 182 Original

2019 Regular Session

Chaney

Abstract: Changes the penalties for resident hunting license violations from a class three to a class two.

Present law prohibits a La. resident from hunting, taking, possessing, or transporting any wild bird or any wild quadruped, without holding a license issued by the La. Wildlife and Fisheries Commission.

Present law provides that a resident is required to possess the license or licenses to hunt, take, possess, or transport each wild bird and wild quadruped or use a primitive firearm as follows:

- (1) A basic hunting license and a \$14 big game license for deer, turkey, or bobcat.
- (2) A basic hunting license and a \$5.50 duck license for waterfowl.
- (3) A big game hunting license and a \$5.50 wild turkey license for turkey.
- (4) A basic hunting license, big game license, and a \$10.50 special primitive firearms license for deer during the special deer season for primitive firearms.

Present law provides the special primitive firearms license fees are dedicated to the development and study of the deer herds within the state after costs for the administration of the licensing program have been deducted.

Present law provides each license is effective only during the open season for the particular kinds of wild birds and wild quadrupeds authorized thereby to be taken and licenses are not transferable any other person. Present law requires enforce agents to take possession of any license found in the possession of any person and deliver it to the department to be canceled.

Present law requires that licensees have licenses or an effective license number, together with a form of physical identification, in their possession when hunting.

Proposed law retains present law.

Present law provides that a violation of the licensing requirements is a class three violation that is punishable as follows:

- (1) First offense, a fine of not less than \$250 nor more than \$500, or imprisonment for not more than 90 days, or both.

- (2) Second offense, a fine of not less than \$500, nor more than \$800, and imprisonment for not less than 60 days nor more than 90 days, and forfeiture of anything seized in connection with the violation.
- (3) Third offense and subsequent offenses, a fine of not less than \$750, nor more than \$1,000, and imprisonment for not less than 90 days nor more than 120 days, and forfeiture anything seized in connection with the violation.
- (4) Additionally, for a second or subsequent violation of the same provision of law the penalty imposed may include revocation of the permit or license under which the violation occurred for the period for which it was issued and barring the issuance of another permit or license for that same period.

Proposed law changes the violation from a class three to a class two that is punishable as follows:

- (1) First offense, a fine of not less than \$100 nor more than \$350, or imprisonment for not more than 60 days, or both.
- (2) Second offense, a fine of not less than \$300, nor more than \$550, and imprisonment for not less than 30 days nor more than 60 days.
- (3) Third offense and all subsequent offenses, a fine of not less than \$500 nor more than \$750, and imprisonment for not less than 60 days nor more than 90 days, and forfeiture to the commission of anything seized in connection with the violation.

(Amends R.S. 56:103(E); Adds R.S. 56:103(G))