

1 **WILDLIFE LICENSES, CERTIFICATES, OR**  
2 **PERMIT AMENDMENTS**

3 2010 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Kerry W. Gibson**

6 **Senate Sponsor: Margaret Dayton**

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8 **LONG TITLE**

9 **General Description:**

10 This bill allows the Wildlife Board to establish additional grounds for the refund of a  
11 license fee.

12 **Highlighted Provisions:**

13 This bill:

14 ▶ allows the Wildlife Board, by administrative rule, to establish grounds other than  
15 those listed in statute for the refund of a license, certificate, or permit fee; and

16 ▶ makes technical changes.

17 **Monies Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 AMENDS:

23 **23-19-38**, as last amended by Laws of Utah 2007, Chapter 187

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25 *Be it enacted by the Legislature of the state of Utah:*

26 Section 1. Section **23-19-38** is amended to read:

27 **23-19-38. Sales of licenses, certificates, or permits final -- Exceptions --**

28 **Reallocation of surrendered permits.**

29 (1) Sales of all licenses, certificates, or permits are final, and no refunds may be made

30 by the division except as provided in [~~Subsection (2)~~] Subsections (2) and (3).

31 (2) The division may refund the amount of the license, certificate, or permit if:

32 (a) the division or the Wildlife Board discontinues the activity for which the license,  
33 certificate, or permit was obtained;

34 (b) the division determines that it has erroneously collected a fee;

35 (c) (i) the person to whom the license, certificate, or permit is issued becomes ill or  
36 suffers an injury that precludes the person from using the license, certificate, or permit;

37 (ii) the person furnishes verification of illness or injury from a physician;

38 (iii) the person does not actually use the license, certificate, or permit; and

39 (iv) the license, certificate, or permit is surrendered before the end of the season for  
40 which the permit was issued; or

41 (d) the person to whom the license, certificate, or permit is issued dies prior to the  
42 person being able to use the license, certificate, or permit.

43 (3) The Wildlife Board may establish additional exceptions in rule to the refund  
44 prohibitions in Subsection (1).

45 [~~(3)~~] (4) The division director may reallocate surrendered permits in accordance with  
46 rules adopted by the Wildlife Board.