

SENATE FILE NO. SF0111

Mule and whitetail deer-separate hunting seasons.

Sponsored by: Senator(s) Driskill, Baldwin, Cooper,
Dockstader, Hicks, Jones and Schuler and
Representative(s) Larson, JT, Neiman,
Northrup, Oakley, Sommers, Walters, Western
and Wylie

A BILL

for

1 AN ACT relating to game and fish; requiring separate
2 hunting licenses and seasons for mule deer and whitetail
3 deer; making conforming amendments; and providing for an
4 effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 23-1-101(a)(i), 23-1-302(a) by
9 creating a new paragraph (xxxiv) and (h), 23-1-703(g),
10 23-1-705(c), (e)(i) through (iii), (g) and (j),
11 23-2-101(f)(intro), (ii), by creating a new paragraph
12 (iii), by renumbering (iii) as (iv), (j)(xiv) through
13 (xvii), by creating new paragraphs (xlvii) through (l) and

1 (m), 23-3-102(d), 23-3-105(a) and (b), 23-3-301(a) and (b)
2 and 35-7-1302(a) are amended to read:

3

4 **23-1-101. Definitions of wildlife.**

5

6 (a) As used in this act:

7

8 (i) "Big game animal" means antelope, bighorn
9 sheep, mule deer, whitetail deer, elk, moose or mountain
10 goat;

11

12 **23-1-302. Powers and duties.**

13

14 (a) The commission is directed and empowered:

15

16 (xxxiv) To promulgate rules governing the
17 issuance of separate hunting licenses and establish
18 separate hunting seasons for the taking of mule deer and
19 whitetail deer.

20

21 (h) For purposes of promoting the maintenance of
22 wildlife habitat and attaining wildlife management
23 objectives pursuant to W.S. 23-1-103 and in addition to

1 duties prescribed under paragraph (a)(xiv) of this section,
2 the commission shall promulgate rules and regulations
3 governing the issuance of elk, mule deer, whitetail deer,
4 antelope and turkey hunting licenses to Wyoming landowners
5 without subjection to prescribed means of competitive
6 public issuance. Fees assessed for licenses authorized
7 under this subsection shall be equal to fees prescribed
8 under W.S. 23-2-101(j) for each species for which the
9 license is issued.

10

11 **23-1-703. Limitation of number of certain licenses;**
12 **reservation of certain licenses; reservation of certain**
13 **unused licenses.**

14

15 (g) In addition to the authority granted under
16 subsection (b) of this section, the commission may through
17 rule and regulation develop and implement a preference
18 point program for nonresident antelope, nonresident mule
19 deer, nonresident whitetail deer and nonresident elk
20 licenses which are limited in quota and would otherwise be
21 issued through a random drawing. A program established
22 pursuant to this subsection may be implemented for all or
23 selected hunt areas and may be applied to all or portions

1 of licenses for any particular species. The commission may
2 charge nonresident license applicants a nonrefundable fee
3 to accumulate preference points under the program as
4 provided in W.S. 23-2-101(m).

5

6 **23-1-705. Complimentary licenses; pioneer licenses;**
7 **antelope hunt licenses; gunpowder and buckskin hunt**
8 **licenses; gratuitous licenses; donated licenses.**

9

10 (c) In addition the commission may, upon payment of
11 mule deer and whitetail deer license fees, issue up to
12 twenty-five (25) licenses each year for the exclusive use
13 of gunpowder and buckskin hunts.

14

15 (e) The department shall issue:

16

17 (i) For a fee of two dollars (\$2.00) a resident
18 mule deer, whitetail deer, antelope or wild turkey license
19 and for a fee of five dollars (\$5.00) an elk license to any
20 resident who is at least seventy-five (75) years of age
21 prior to the issuance of the license and who has
22 continuously resided in Wyoming for at least the fifty (50)
23 years immediately preceding application for the license;

1

2 (ii) For a fee established by rule of the
3 commission a resident mule deer, whitetail deer, antelope,
4 wild turkey or elk license to any resident who is at least
5 seventy (70) years of age prior to the issuance of the
6 license and has continuously resided in Wyoming for at
7 least fifty (50) years immediately preceding application
8 for the license. The fee established for a license under
9 this paragraph shall be not more than sixty-five percent
10 (65%) nor less than sixty percent (60%) of the resident fee
11 specified in W.S. 23-2-101 for the particular species;

12

13 (iii) Without charge a resident elk, ~~or deer~~
14 mule deer or whitetail deer license in any hunt area not
15 subject to prescribed means of competitive public issuance,
16 a resident game bird and a resident small game license to
17 any resident who is on active duty in the United States
18 armed forces deployed to a combat zone who is home on leave
19 during the applicable hunting season. Application under
20 this section shall include proof of residency required
21 under W.S. 23-2-101(a), certification of the applicant's
22 active duty deployment to a combat zone and other
23 information required by rule and regulation of the

1 commission. For purposes of this paragraph, a combat zone
2 is any area which the president of the United States
3 designates by executive order as an area in which the armed
4 forces of the United States are engaged in combat;

5
6 (g) In addition to complimentary licenses under
7 subsection (a) of this section, each appointed commissioner
8 may cause to be issued at cost not more than a total of
9 eight (8) elk, mule deer, whitetail deer or antelope
10 designated licenses per year. All licenses issued under
11 this subsection shall be designated to nonprofit charitable
12 organizations. As a condition of accepting the license, the
13 organization shall agree to auction or otherwise bid the
14 license to the highest bidder or to raffle the license to
15 members of the public.

16
17 (j) In addition the commission may issue upon payment
18 of proper fees any number, set by rule and regulation, of
19 antelope licenses, mule deer licenses, whitetail deer
20 licenses, elk licenses and turkey licenses each year for
21 the exclusive use by persons twenty (20) years of age or
22 younger with life threatening illnesses who are sponsored
23 by a nonprofit charitable organization with a mission to

1 provide opportunities and experiences to persons with life
2 threatening or serious illnesses. As a condition of issuing
3 the license, the sponsoring organization shall pay the
4 appropriate license fee on behalf of the licensee and at no
5 cost to the licensee.

6

7 **23-2-101. Fees; restrictions; nonresident application**
8 **fee; nonresident licenses; verification of residency**
9 **required.**

10

11 (f) Forty percent (40%) of available nonresident elk
12 licenses, forty percent (40%) of available nonresident mule
13 deer licenses, forty percent (40%) of available nonresident
14 whitetail deer licenses and forty percent (40%) of
15 available nonresident antelope licenses for any one (1)
16 calendar year shall as established by the commission, be
17 offered to nonresident applicants upon receipt of the fee
18 prescribed by this subsection. Seventy-five (75) of the
19 nonresident mule deer and whitetail deer licenses set aside
20 ~~pursuant to~~ under this subsection shall be used for a
21 national bow hunt for mule deer and whitetail deer. The
22 licenses authorized by this subsection shall be offered by
23 drawing to nonresident applicants prior to the drawing for

1 the remaining nonresident licenses issued. The licenses
2 offered under this subsection shall be issued in a manner
3 prescribed by rules and regulations promulgated by the
4 commission. Nothing in this subsection shall prohibit any
5 unsuccessful applicant for a nonresident license pursuant
6 to this subsection from submitting an application for any
7 licenses remaining after the drawing during the calendar
8 year in which the application under this subsection was
9 submitted. The following fees shall be collected by the
10 department and are in addition to the nonresident license
11 fee for the appropriate big game species imposed under
12 subsection (j) of this section and the application fee
13 imposed under subsection (e) of this section:

14

15 (ii) Nonresident mule deer license \$826.00
16 in addition to the license fee imposed under paragraph
17 (j)(xv) of this section;

18

19 (iii) Nonresident whitetail deer license.....
20 \$826.00 in addition to the license fee imposed under
21 paragraph (j)(lvii) of this section;

22

1 ~~(iii)~~(iv) Nonresident antelope license.....
 2 \$874.00 in addition to the license fee imposed under
 3 paragraph (j)(xxxi) of this section.

4

5 (j) Subject to W.S. 23-2-101(f), 23-1-705(e) and the
 6 applicable fee under W.S. 23-1-701, the following hunting
 7 licenses and tags may be purchased for the fee indicated
 8 and subject to the limitations provided:

9

10 (xiv) Resident mule deer license; one (1) mule
 11 deer.....\$40.00

12

13 (xv) Nonresident mule deer license; one (1) mule
 14 deer.....\$372.00

15

16 (xvi) Resident youth mule deer license; one (1)
 17 mule deer.....\$15.00

18

19 (xvii) Nonresident youth mule deer license; one
 20 (1) mule deer.....\$110.00

21

22 (xlvii) Resident whitetail deer license; one (1)
 23 whitetail deer.....\$40.00

1

2

(xlviii) Nonresident whitetail deer license; one (1) whitetail deer.....\$372.00

4

5

(xlix) Resident youth whitetail deer license; one (1) whitetail deer.....\$15.00

7

8

(1) Nonresident youth whitetail deer license; one (1) whitetail deer.....\$110.00

10

(m) Subject to the provisions of this subsection, as part of any preference point program for nonresident antelope, nonresident ram bighorn sheep, nonresident moose, nonresident mule deer, nonresident whitetail deer or nonresident elk, the commission may establish a nonrefundable fee to be either withheld from the license fee remitted or submitted separately when application for a license or preference point is made through electronic licensing, and may also establish a fee to be paid in lieu of applying for licenses that are limited in quota. Retention of the established fee or payment of the fee in lieu of applying shall authorize the person to accumulate a preference point for future drawings for licenses that are

1 limited in quota for the applicable species in accordance
2 with rules of the commission. The rules may provide for the
3 loss of all accumulated points for persons failing to apply
4 or to pay the in lieu fee in two (2) consecutive calendar
5 years. The fee for any program under this subsection for
6 antelope, mule deer, whitetail deer or elk shall be
7 established by rule and shall not exceed seventy-five
8 dollars (\$75.00) per species. Payment of the fee shall be
9 made in compliance with application dates. Nothing in this
10 subsection authorizes the commission to establish or retain
11 a fee for resident moose or resident ram bighorn sheep
12 license preference points in addition to the fee
13 established by subsection (k) of this section or to
14 establish rules for ram bighorn sheep or moose preference
15 point drawings in conflict with the provisions of W.S.
16 23-1-703(b). For nonresident ram bighorn sheep and
17 nonresident moose licenses, the commission may establish by
18 rule a nonrefundable preference point fee to be withheld
19 from either the license fee remitted or submitted
20 separately when application for a license or preference
21 point is made through electronic licensing and may
22 establish a fee in lieu of making application in an amount
23 greater than that established under subsection (k) of this

1 section, but neither fee shall exceed one hundred fifty
2 dollars (\$150.00). Fees established under this subsection
3 may be set at lower amounts for youth license applicants.

4

5 **23-3-102. Taking certain game animals without license**
6 **or during a closed season prohibited.**

7

8 (d) Any person who knowingly takes any antlered elk,
9 antlered mule deer, antlered whitetail deer, antlered
10 moose, horned antelope, bighorn sheep, mountain goat,
11 mountain lion, grizzly bear or black bear without the
12 proper license or during a closed season and any person who
13 knowingly kills a mountain lion during a mountain lion
14 pursuit season, except as otherwise permitted by this act,
15 is guilty of a misdemeanor punishable by a fine of not less
16 than five thousand dollars (\$5,000.00) nor more than ten
17 thousand dollars (\$10,000.00), imprisonment for not more
18 than one (1) year, or both. A third or subsequent
19 conviction within ten (10) years for a violation of this
20 subsection shall constitute a felony punishable by a fine
21 of not less than five thousand dollars (\$5,000.00) nor more
22 than ten thousand dollars (\$10,000.00), imprisonment for
23 not more than two (2) years, or both. For the purposes of

1 determining whether a violation of this subsection is a
2 felony, convictions resulting from the same occurrence
3 shall be considered a single conviction even if the result
4 of the occurrence is more than one (1) misdemeanor
5 conviction. The provisions of W.S. 6-8-101(a) shall not
6 apply to convictions under this section.

7

8 **23-3-105. Antelope, mule deer, whitetail deer and elk**
9 **coupons; payment to landowner; kill on federal or state**
10 **land.**

11

12 (a) Antelope, mule deer, whitetail deer and elk
13 licenses shall have two (2) coupons attached, each bearing
14 the same serial number as the body of the permit, one (1)
15 designated "antelope, mule deer, whitetail deer or elk
16 coupon" and one (1) designated "landowner's coupon".

17

18 (b) The landowner's coupon shall promptly be
19 detached, dated, signed and delivered to the landowner.
20 The landowner, on or before March 1 following the close of
21 the hunting season for which the license was issued, shall
22 deliver to the department the coupon and an affidavit that
23 the antelope, mule deer, whitetail deer or elk for which

1 the coupon was delivered was killed on his land. Upon
2 receipt of the coupon and affidavit the department shall
3 pay the landowner sixteen dollars (\$16.00) for each coupon
4 from an antelope, mule deer, whitetail deer or elk license.
5 Landowner's coupons are not transferable. Any unauthorized
6 person attempting to collect any sum for any landowner's
7 coupon is guilty of a high misdemeanor punishable as
8 provided in W.S. 23-6-202(a)(ii). Effective January 1,
9 2000, the department shall provide a checkoff box on each
10 landowner coupon affidavit claim form that offers the
11 claimant the opportunity to designate the animal damage
12 management board to receive his payment amount for
13 landowner coupons claimed on that form. For each claim made
14 where the landowner has designated his payment to the
15 animal damage management board, the department shall
16 transfer that amount to the animal damage management
17 account created by W.S. 11-6-306 and the department shall
18 retain the fees related to those administrative costs of
19 the transfer.

20

21 **23-3-301. Importation and sale of wildlife**
22 **prohibited; exceptions.**

23

1 (a) No person shall import into Wyoming from any
2 source any living antelope, bear, mule deer, whitetail
3 deer, elk, moose, mountain goat, mountain lion, bighorn
4 sheep, wolf, wolf hybrid nor any living wildlife except as
5 otherwise permitted by this act.

6

7 (b) No person shall sell any living antelope, bear,
8 mule deer, whitetail deer, elk, moose, mountain goat,
9 mountain lion, bighorn sheep, wolf, wolf hybrid or falcon
10 except as permitted by the commission.

11

12 **35-7-1302. Donation of game animals.**

13

14 (a) Any game animal, including any big game animal,
15 elk, mule deer, whitetail deer, mountain sheep, wild goat,
16 antelope, moose or bear, lawfully taken by a licensed
17 hunter may be donated to a nonprofit organization under the
18 provisions of W.S. 35-7-1301 to feed individuals in need.

19

20 **Section 2.** This act is effective January 1, 2025.

21

22

(END)