

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

Mule and whitetail deer-separate hunting seasons.

Sponsored by: Joint Travel, Recreation, Wildlife & Cultural
Resources Interim Committee

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

1 (xvii), by creating new paragraphs (xlvii) through (l) and
2 (m), 23-3-102(d), 23-3-105(a) and (b), 23-3-301(a) and (b)
3 and 35-7-1302(a) are amended to read:

4

5 **23-1-101. Definitions of wildlife.**

6

7 (a) As used in this act:

8

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

12

13 **23-1-302. Powers and duties.**

14

15 (a) The commission is directed and empowered:

16

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

21

22 (h) For purposes of promoting the maintenance of
23 wildlife habitat and attaining wildlife management

1 objectives pursuant to W.S. 23-1-103 and in addition to
2 duties prescribed under paragraph (a)(xiv) of this section,
3 the commission shall promulgate rules and regulations
4 governing the issuance of elk, mule deer, whitetail deer,
5 antelope and turkey hunting licenses to Wyoming landowners
6 without subjection to prescribed means of competitive
7 public issuance. Fees assessed for licenses authorized
8 under this subsection shall be equal to fees prescribed
9 under W.S. 23-2-101(j) for each species for which the
10 license is issued.

11

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

15

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

1 selected hunt areas and may be applied to all or portions
2 of licenses for any particular species. The commission may
3 charge nonresident license applicants a nonrefundable fee
4 to accumulate preference points under the program as
5 provided in W.S. 23-2-101(m).

6

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

10

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

15

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17 STAFF COMMENT

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19 The Committee may wish to consider if subsection (c) above
20 should be further amended to provide for 25 licenses of
21 each deer species or if the total number should be a
22 combination of mule and whitetail deer licenses to ensure
23 that the provision stays in line with the policy
24 considerations of the Committee.

25

26 *****

27

28 (e) The department shall issue:

1

2 (i) For a fee of two dollars (\$2.00) a resident
3 mule deer, whitetail deer, antelope or wild turkey license
4 and for a fee of five dollars (\$5.00) an elk license to any
5 resident who is at least seventy-five (75) years of age
6 prior to the issuance of the license and who has
7 continuously resided in Wyoming for at least the fifty (50)
8 years immediately preceding application for the license;

9

10 (ii) For a fee established by rule of the
11 commission a resident mule deer, whitetail deer, antelope,
12 wild turkey or elk license to any resident who is at least
13 seventy (70) years of age prior to the issuance of the
14 license and has continuously resided in Wyoming for at
15 least fifty (50) years immediately preceding application
16 for the license. The fee established for a license under
17 this paragraph shall be not more than sixty-five percent
18 (65%) nor less than sixty percent (60%) of the resident fee
19 specified in W.S. 23-2-101 for the particular species;

20

21 (iii) Without charge a resident elk, ~~or deer~~
22 mule deer or whitetail deer license in any hunt area not
23 subject to prescribed means of competitive public issuance,

1 a resident game bird and a resident small game license to
2 any resident who is on active duty in the United States
3 armed forces deployed to a combat zone who is home on leave
4 during the applicable hunting season. Application under
5 this section shall include proof of residency required
6 under W.S. 23-2-101(a), certification of the applicant's
7 active duty deployment to a combat zone and other
8 information required by rule and regulation of the
9 commission. For purposes of this paragraph, a combat zone
10 is any area which the president of the United States
11 designates by executive order as an area in which the armed
12 forces of the United States are engaged in combat;

13

14 (g) In addition to complimentary licenses under
15 subsection (a) of this section, each appointed commissioner
16 may cause to be issued at cost not more than a total of
17 eight (8) elk, mule deer, whitetail deer or antelope
18 designated licenses per year. All licenses issued under
19 this subsection shall be designated to nonprofit charitable
20 organizations. As a condition of accepting the license, the
21 organization shall agree to auction or otherwise bid the
22 license to the highest bidder or to raffle the license to
23 members of the public.

1

2 *****
3 STAFF COMMENT

4
5 The Committee may wish to consider if subsection (g) on the
6 previous page should be further amended to specify the
7 licenses for which species each appointed commissioner may
8 have issued each year to ensure that the provision stays in
9 line with the policy considerations of the Committee.

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11 *****
12

13 (j) In addition the commission may issue upon payment
14 of proper fees any number, set by rule and regulation, of
15 antelope licenses, mule deer licenses, whitetail deer
16 licenses, elk licenses and turkey licenses each year for
17 the exclusive use by persons twenty (20) years of age or
18 younger with life threatening illnesses who are sponsored
19 by a nonprofit charitable organization with a mission to
20 provide opportunities and experiences to persons with life
21 threatening or serious illnesses. As a condition of issuing
22 the license, the sponsoring organization shall pay the
23 appropriate license fee on behalf of the licensee and at no
24 cost to the licensee.

25

26 **23-2-101. Fees; restrictions; nonresident application**
27 **fee; nonresident licenses; verification of residency**
28 **required.**

1
2 (f) Forty percent (40%) of available nonresident elk
3 licenses, forty percent (40%) of available nonresident mule
4 deer licenses, forty percent (40%) of available nonresident
5 whitetail deer licenses and forty percent (40%) of
6 available nonresident antelope licenses for any one (1)
7 calendar year shall as established by the commission, be
8 offered to nonresident applicants upon receipt of the fee
9 prescribed by this subsection. Seventy-five (75) of the
10 nonresident mule deer and whitetail deer licenses set aside
11 ~~pursuant to~~ under this subsection shall be used for a
12 national bow hunt for mule deer and whitetail deer. The
13 licenses authorized by this subsection shall be offered by
14 drawing to nonresident applicants prior to the drawing for
15 the remaining nonresident licenses issued. The licenses
16 offered under this subsection shall be issued in a manner
17 prescribed by rules and regulations promulgated by the
18 commission. Nothing in this subsection shall prohibit any
19 unsuccessful applicant for a nonresident license pursuant
20 to this subsection from submitting an application for any
21 licenses remaining after the drawing during the calendar
22 year in which the application under this subsection was
23 submitted. The following fees shall be collected by the

1 department and are in addition to the nonresident license
2 fee for the appropriate big game species imposed under
3 subsection (j) of this section and the application fee
4 imposed under subsection (e) of this section:

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7

STAFF COMMENT

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9 The Committee may wish to consider if subsection (f) as
10 amended on the previous page should be further amended to
11 specify whether 75 licenses for each deer species should be
12 set aside for the national bow hunt (for a total of 150
13 licenses) or if the total number of 75 licenses set aside
14 should be a combination of mule and whitetail deer license
15 to ensure that the provision stays in line with the policy
16 considerations of the Committee.

17

18 *****

19

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

23

24 (iii) Nonresident whitetail deer license.....
25 \$826.00 in addition to the license fee imposed under
26 paragraph (j)(lvii) of this section;

27

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

3

(1) whitetail deer.....\$372.00

4

5

(xlix) Resident youth whitetail deer license;

6

one (1) whitetail deer.....\$15.00

7

8

(1) Nonresident youth whitetail deer license;

9

one (1) whitetail deer.....\$110.00

10

11 *****

12 STAFF COMMENT

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14 The Committee may wish to consider if the license fees for
15 mule and whitetail deer under subsection (f) and (j) as
16 amended on pages 9-11 should be further amended to ensure
17 that the provision stays in line with this bill draft's
18 policy of differentiating between the management of mule
19 deer and whitetail deer species. The species have been
20 split in the tables of license fees but the fee for each
21 species is currently the same in this bill draft.

22

23 *****

24

25 (m) Subject to the provisions of this subsection, as

26 part of any preference point program for nonresident

27 antelope, nonresident ram bighorn sheep, nonresident moose,

28 nonresident mule deer, nonresident whitetail deer or

29 nonresident elk, the commission may establish a

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

1 23-1-703(b). For nonresident ram bighorn sheep and
2 nonresident moose licenses, the commission may establish by
3 rule a nonrefundable preference point fee to be withheld
4 from either the license fee remitted or submitted
5 separately when application for a license or preference
6 point is made through electronic licensing and may
7 establish a fee in lieu of making application in an amount
8 greater than that established under subsection (k) of this
9 section, but neither fee shall exceed one hundred fifty
10 dollars (\$150.00). Fees established under this subsection
11 may be set at lower amounts for youth license applicants.
12

13 **23-3-102. Taking certain game animals without license**
14 **or during a closed season prohibited.**
15

16 (d) Any person who knowingly takes any antlered elk,
17 antlered mule deer, antlered whitetail deer, antlered
18 moose, horned antelope, bighorn sheep, mountain goat,
19 mountain lion, grizzly bear or black bear without the
20 proper license or during a closed season and any person who
21 knowingly kills a mountain lion during a mountain lion
22 pursuit season, except as otherwise permitted by this act,
23 is guilty of a misdemeanor punishable by a fine of not less

1 than five thousand dollars (\$5,000.00) nor more than ten
2 thousand dollars (\$10,000.00), imprisonment for not more
3 than one (1) year, or both. A third or subsequent
4 conviction within ten (10) years for a violation of this
5 subsection shall constitute a felony punishable by a fine
6 of not less than five thousand dollars (\$5,000.00) nor more
7 than ten thousand dollars (\$10,000.00), imprisonment for
8 not more than two (2) years, or both. For the purposes of
9 determining whether a violation of this subsection is a
10 felony, convictions resulting from the same occurrence
11 shall be considered a single conviction even if the result
12 of the occurrence is more than one (1) misdemeanor
13 conviction. The provisions of W.S. 6-8-101(a) shall not
14 apply to convictions under this section.

15

16 **23-3-105. Antelope, mule deer, whitetail deer and elk**
17 **coupons; payment to landowner; kill on federal or state**
18 **land.**

19

20 (a) Antelope, mule deer, whitetail deer and elk
21 licenses shall have two (2) coupons attached, each bearing
22 the same serial number as the body of the permit, one (1)

1 designated "antelope, mule deer, whitetail deer or elk
2 coupon" and one (1) designated "landowner's coupon".

3

4 (b) The landowner's coupon shall promptly be
5 detached, dated, signed and delivered to the landowner.
6 The landowner, on or before March 1 following the close of
7 the hunting season for which the license was issued, shall
8 deliver to the department the coupon and an affidavit that
9 the antelope, mule deer, whitetail deer or elk for which
10 the coupon was delivered was killed on his land. Upon
11 receipt of the coupon and affidavit the department shall
12 pay the landowner sixteen dollars (\$16.00) for each coupon
13 from an antelope, mule deer, whitetail deer or elk license.
14 Landowner's coupons are not transferable. Any unauthorized
15 person attempting to collect any sum for any landowner's
16 coupon is guilty of a high misdemeanor punishable as
17 provided in W.S. 23-6-202(a)(ii). Effective January 1,
18 2000, the department shall provide a checkoff box on each
19 landowner coupon affidavit claim form that offers the
20 claimant the opportunity to designate the animal damage
21 management board to receive his payment amount for
22 landowner coupons claimed on that form. For each claim made
23 where the landowner has designated his payment to the

1 animal damage management board, the department shall
2 transfer that amount to the animal damage management
3 account created by W.S. 11-6-306 and the department shall
4 retain the fees related to those administrative costs of
5 the transfer.

6

7 **23-3-301. Importation and sale of wildlife**
8 **prohibited; exceptions.**

9

10 (a) No person shall import into Wyoming from any
11 source any living antelope, bear, mule deer, whitetail
12 deer, elk, moose, mountain goat, mountain lion, bighorn
13 sheep, wolf, wolf hybrid nor any living wildlife except as
14 otherwise permitted by this act.

15

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

20

21 **35-7-1302. Donation of game animals.**

22

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

6

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

8

9

(END)