

**LCB File No. R068-08**

**PROPOSED REGULATION OF THE  
BOARD OF WILDLIFE COMMISSIONERS**

**COMMISSION GENERAL REGULATION 359**

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: (NRS 501.105, 501.181, 502.130, 502.140, 502.160)

A REGULATION relating to wildlife to amend qualifications regarding tag refunds and reinstatement of eligibility and bonus points for big game tags.

**Section 1.** NAC 502.322 is hereby amended to read as follows

**502.422** 1. The Department may cancel a tag and provide a refund if the Department issues the tag in error.

2. The Department shall provide a refund if the holder of a tag:

(a) Or a person to whom he is related within the third degree of consanguinity or affinity dies, as verified by a certificate of death;

(b) Or a person to whom he is related within the third degree of consanguinity or affinity incurs a disability, as verified in writing by a physician, which prevents him from hunting during the season for which the tag was issued; or

(c) Is serving in the Armed Forces of the United States and is transferred, as verified by a copy of his orders or other proof satisfactory to the Department, to a location which makes it impracticable for him to hunt in the area for which the tag was issued,

and, except as otherwise provided in NAC 502.336, his tag is returned to the Department before the opening day of the season for which the tag was issued. If the holder obtained his hunting license with his tag, the hunting license may be returned with the tag.

3. If a refund is provided pursuant to this section, the Department shall:

(a) Return all the fees submitted with the application for the tag except the fees required pursuant to NRS 502.253 and NAC 502.331; and

(b) Except as otherwise provided in subsection 2 of NAC 502.4225, treat the recipient of the refund, with respect to his eligibility to obtain a tag and to be awarded a bonus point, as if the tag had not been issued and the applicant was unsuccessful.

4. Except as otherwise provided in NAC 502.421, the Department is not required to refill a quota for the issuance of tags if the application of this section reduces the number of tags issued to less than a quota.

*5. If a tag for any subspecies of bighorn sheep or mountain goat is returned for reasons except as provided in sections 1 and 2 of this regulation the department shall:*

*(a) if the request is received no later than July 15 return all the fees submitted with the application for the tag except the fees required pursuant to NRS 502.253 and NAC 502.331; and*

*(b) Except as otherwise provided in subsection 2 of NAC 502.4225, treat the recipient of the refund, with respect to his eligibility to obtain a tag and to be awarded a bonus point, as if the tag had not been issued and the applicant was unsuccessful.*

*6. If a tag for elk or deer is returned for reason except as provided in section 1 and 2 of this regulation the department shall if the tag is received up to 1 day prior to the opening of the season:*

*(a) not provide a refund of the tag fee, and*

*(b) Except as otherwise provided in subsection 2 of NAC 502.4225 treat the applicant with respect to his eligibility to obtain a tag and to be awarded a bonus point, as if the tag had not been issued and the applicant was unsuccessful, and*

*(c) Not issue the elk or deer tag to an alternate.*