

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

LCB FILE NO. R042-211

**The following document is the initial draft regulation proposed
by the agency submitted on 09/09/2021**

**PROPOSED REGULATION OF THE
BOARD OF WILDLIFE COMMISSIONERS
COMMISSION GENERAL REGULATION 499**

LCB File No. RXXX-XX

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

AUTHORITY: §§1 and 2, NRS 502.175

A REGULATION relating to licensing and applications.....

Chapter 502 of NAC is hereby amended by adding thereto a new definition to read as follows:

“Awarded” defined. “Awarded” means to be successful in a draw or, purchased, offered, granted, or assigned, an official tag of the Department. Does not apply to those returning a tag per NAC 502.422.

NAC 502.4175 is hereby amended to read as follows:

NAC 502.4175 Electronic application for tag, permit or bonus point; alternate list; establishment of seasons and quotas by Commission; valid hunting license required; fees. (NRS 501.105, 501.181, 502.030, 502.160)

1. Except as otherwise authorized by the Commission, a person desiring to obtain a tag, permit or a bonus point without the opportunity to obtain a tag must submit an electronic application provided by the Department. In addition to any information required pursuant to NAC 502.199, the application must:

- (a) Specify whether the applicant is a resident or nonresident of this State;
- (b) Specify the species or category of species for which the applicant is applying;
- (c) If the applicant is applying for a tag to hunt deer, bear, elk, antelope, bighorn sheep, mountain goat, moose or wild turkey, include a selection of not more than five hunter choice numbers; and
- (d) Set forth an acknowledgement of the affidavit that is included in the application provided by the Department.

2. A person who desires to be placed on an alternate list pursuant to NAC 502.421 or 502.4275 must apply to the Department electronically to obtain a tag and must indicate on the electronic application his or her desire to be placed on an alternate list.

~~— 3. — If an applicant desiring to obtain a bonus point without the opportunity to obtain a tag specifies a hunter choice number on his or her application, the Department shall ignore the specification of the hunter choice number by the applicant and process the application for the bonus point.~~

~~— 4. —~~ 3. The Commission will establish the seasons and quotas for a hunt, and the method for submission and deadline for receipt of applications.

~~— 5. —~~ 4. An applicant must obtain a valid hunting license or combination hunting and fishing license before submitting his or her application for a tag, permit or bonus point, except that an

applicant may apply for a hunting license when submitting the application for a tag, permit or bonus point.

~~—6.~~ **5.** A hunting license or combination hunting and fishing license may not be used to comply with the provisions of this section for more than one application period for each random draw during a 1-year period after the date of issuance of the license.

~~—7.~~ **6.** The electronic application for a tag, permit or bonus point must be accompanied by:

(a) The fee required pursuant to NRS 502.253 for the support of programs to control predators and protect wildlife habitat;

(b) Any donation the applicant wishes to make to a program specified in paragraph (a) or any other program conducted by the Department;

(c) The fee for a hunting license or combination hunting and fishing license, as provided in NRS 502.240, if the application is for:

(1) A tag or permit and the applicant:

(I) Has not obtained a hunting license or combination hunting and fishing license; and

(II) Indicates on the application that he or she wishes to purchase the hunting license or combination hunting and fishing license regardless of whether his or her application is successfully drawn; or

(2) A bonus point and the applicant has not obtained a hunting license; and

(d) The applicable fee required pursuant to NAC 502.331 for the Department to act upon the application. The Department shall apply the proceeds of the fee in accordance with the provisions of NRS 502.255.

~~—8.~~ **7.** If an application for a tag specified in subsection 7 is successfully drawn, the Department shall collect from the applicant:

(a) The appropriate fee for the tag as provided in NRS 502.250; and

(b) The fee for a hunting license or combination hunting and fishing license, as provided in NRS 502.240, if the applicant:

(1) Has not obtained a hunting license and indicates on the application that he or she wishes to purchase the hunting license or combination hunting and fishing license only if his or her application is successfully drawn; or

(2) The hunting license or combination hunting and fishing license submitted with the application for the tag or permit will expire before the opening day of the season for the permit or tag.

~~—9.~~ **8.** An application to obtain a tag that is issued by random selection may be submitted by a person who is under 12 years of age if he or she will attain the age of 12 years before the commencement of each season to which the application relates. An application to obtain a tag that is issued on a first-come, first-served basis may not be submitted by a person who has not yet attained the age of 12 years.

9. The Commission may establish an open period for receipt of bonus point only application that will follow the public posting of results of all big game draws held in that application season. Those wishing to apply for a bonus point during this period are subject to subsection 6 of this regulation and NAC 502.4187.

10. The Department and its agents and employees shall not:

(a) Amend or otherwise alter an application to obtain a tag, permit or bonus point.

(b) Issue a tag or permit or award a bonus point to an applicant who fails to submit the fees required pursuant to this section.

NAC 502.4183 is hereby amended to read as follows:

NAC 502.4183 Withdrawal of application; electronic submission of new application. (NRS 501.105, 501.181, 502.160)

1. An application for a tag, permit or bonus point for a species or category of species may be withdrawn after it is received by the Department:

(a) Electronically, if the application was submitted electronically; or

(b) By submitting a written request to the Department which includes the applicant's client number if the request is received by the Department on or before the *last day of the open application period*. ~~Friday next preceding the draw.~~

2. If an application is submitted electronically and is withdrawn before the deadline for the draw, the applicant may submit a new application for a tag, permit or bonus point for the same species or category of species in that draw on or before the deadline for the draw.

~~—3. If an application is submitted electronically and is withdrawn after the deadline for the draw, the applicant may submit a new application for a bonus point for the same species or category of species within 7 days after the deadline for the draw~~

~~—4.~~ **3.** The Department shall not consider a withdrawn application in the procedure for awarding tags or bonus points.

NAC 502.41895 is hereby amended to read as follows:

NAC 502.41895 Bonus points: Electronic submission of application under certain circumstances. (NRS 501.105, 501.181, 502.160)

An eligible applicant who has submitted an application for a tag, permit or bonus point for a species or category of species and who withdraws the application pursuant to subsection 1 of NAC 502.4183 or who fails to submit an application for a species or category of species may, ~~within 7 days after the deadline for the draw,~~ electronically submit an application for a bonus point for that species or category of species *during the specified bonus point application period*.