

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

LCB File No. R015-24

March 11, 2024

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

AUTHORITY: §§ 1 and 2, NRS 501.105, 501.181, 502.140, 502.160, and section 1 of Senate Bill No. 311, Chapter 444, Statutes of Nevada 2023, at page 2728.

A REGULATION relating to wildlife; establishing a process for a holder of a tag to hunt mule deer to transfer the tag to certain persons under 18 years of age under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires, with certain exceptions, that a person who hunts any wildlife in this State first obtain a license for such activities and, if he or she wishes to hunt certain designated big game mammals, first obtain an additional license, known as a tag. (NRS 502.010, 502.130) Under existing law, any such tag is not transferrable unless: (1) the person to whom the tag was issued can demonstrate the existence of an extenuating circumstance; or (2) the tag is transferred to an eligible qualified organization for use by a person with a disability or a life-threatening condition or a person who is 16 years of age or younger and otherwise eligible to hunt in this State (NRS 502.103, 502.104) Senate Bill No. 311 of the 2023 Legislative Session authorizes the Board of Wildlife Commissioners to adopt regulations establishing a program that allows a person to transfer his or her tag to hunt a big game mammal to any person who is less than 18 years of age. (Chapter 444, Statutes of Nevada 2023, at page 2728) **Section 1** of this regulation establishes a process by which a holder of a tag to hunt mule deer may request the transfer of the tag to a person who is at least 12 years of age but less than 18 years of age and who is otherwise eligible to hunt mule deer in this State. **Section 2** of this regulation makes a conforming change to provide that transferring a tag under **section 1** is an exception to the prohibition on the transfer of tags.

Section 1. Chapter 502 of NAC is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in subsections 8 and 10, a holder of a tag to hunt mule deer that was awarded in the main drawing for the current hunting year may, subject to the

provisions of this section, request the transfer of the unused tag to a person who is at least 12 years of age but less than 18 years of age and who is otherwise eligible to hunt mule deer in this State if the person receiving the tag:

(a) Will attain his or her 12th birthday before the first day of the hunting season for which the big game tag for mule deer is issued; and

(b) Will not attain his or her 18th birthday until after the last day of each hunting season for which the big game tag for mule deer is issued.

2. To be eligible to transfer a tag pursuant to subsection 1, the holder of the tag must, when submitting his or her application for the main drawing, designate the name and client number of the minor to whom transfer the tag to hunt mule deer is to be transferred.

3. If the holder of a tag requests to transfer the tag pursuant to section 1, the holder must:

(a) Submit the request to the Department not later than July 1 of the hunting year for which the tag was issued;

(b) Complete an affidavit, in the form prescribed by the Department, which must include, without limitation:

(1) The legal name of the original holder of the tag;

(2) The legal name of the new recipient of the tag;

(3) The relationship between the original holder of the tag and the new recipient;

(4) The client number of both the original holder of the tag and the new recipient;

(5) The type of hunt; and

(6) That no monetary trade or exchange of goods or services will be taken or given by the person wishing to transfer his or her tag and the person receiving the tag;

(c) Pay the appropriate fee for the tag as provided in NRS 502.250; and

(d) Surrender the tag to the Department.

4. The Department shall return a copy of the executed affidavit submitted pursuant to subsection 3 to the original tag holder at the time the transfer of the tag has been completed.

5. If a tag is transferred to another person pursuant to this section, both the original holder of the tag and the new recipient of the tag will be treated as if he or she drew the tag with respect to any applicable waiting periods and bonus points.

6. A tag transferred pursuant to this section may not be:

(a) Returned to the Department for the restoration of bonus points under the bonus point program; or

(b) Deferred or transferred again.

7. A person who receives a tag to hunt mule deer pursuant to this section is not eligible to receive or obtain another mule deer tag in the year for which the tag was issued and must have been unsuccessful in obtaining any big game tag through the main drawing for the current hunt year.

8. A holder of a tag may only transfer a tag as set forth in this section once during his or her lifetime.

9. The holder of a tag to hunt mule deer who transfers the tag pursuant to this section shall accompany and directly supervise the person receiving the tag into the field and have on his or her person a copy of the affidavit. As used in this subsection, “accompany and directly supervise” means maintain close visual and verbal contact with, provide adequate direction to and maintain the ability readily to assume control of any firearm or weapon.

10. A tag to hunt mule deer awarded for a junior hunt is not eligible to be transferred pursuant to this section.

Sec. 2. NAC 502.385 is hereby amended to read as follows:

502.385 1. The tag or permit must be carried by the holder at all times while the holder is hunting or trapping or while he or she is fishing for wildlife for which a tag or permit is required.

2. Except as otherwise provided in NAC 502.42905 , ~~and~~ section 1 of LCB File No. R022-19, *and section 1 of this regulation*, it is unlawful for any person to:

- (a) Use or possess a tag or permit issued to any other person;
- (b) Transfer or give a tag or permit issued to him or her to any other person;
- (c) Use any tag or permit in a management area or unit for which it is not intended; or
- (d) Use a tag or permit at any time other than at the time intended.

3. After it has been issued, a tag or permit may not be exchanged or a refund made except in accordance with the policies and regulations of the Commission.