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SENATE BILL NO. 364—SENATORS PARKS, SEGERBLOM,  
MANENDO, SPEARMAN; RATTI AND WOODHOUSE

MARCH 20, 2017

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Referred to Committee on Natural Resources

SUMMARY—Revises provisions governing the trapping or taking of certain animals. (BDR 45-107)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Yes.

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

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AN ACT relating to wildlife; amending the definition of “trap” to exclude certain devices; requiring the Department of Wildlife to develop standard language for certain signs required to be posted in areas in which trapping may occur; requiring the registration of each trap, snare or similar device used by a person in the taking of wild animals; requiring each registered trap to be marked in a certain manner; deleting provisions which declare that any information in the possession of the Department of Wildlife concerning the registration of a trap, snare or similar device is confidential; requiring the owner or occupant of private property who uses an unregistered trap, snare or similar device on the private property to register the trap, snare or similar device under certain circumstances; authorizing a person to remove or disturb a trap, snare or similar device under certain circumstances; requiring a person who takes or causes to be taken any wild mammals by means of a trap, snare or similar device to visit or cause to be visited the trap, snare or similar device at least once every 24 hours; and providing other matters properly relating thereto.



\* S B 3 6 4 \*

**Legislative Counsel's Digest:**

1 Existing law defines the term "trap" for purposes of title 45 of NRS governing  
2 wildlife to mean a device that is designed, built or made to close upon or hold fast  
3 any portion of an animal. (NRS 501.089) **Section 1** of this bill specifies that the  
4 term does not include: (1) any cage or box trap, net or suitcase-type live beaver  
5 trap; or (2) any device that is designed, built or made to close upon or hold fast  
6 certain vertebrate pests, such as mice and rats.

7 Existing law defines the terms "to trap," "trapping" and "trapped" for purposes  
8 of title 45 of NRS governing wildlife to mean to set or operate any device,  
9 mechanism or contraption that is designed, built or made to close upon or hold fast  
10 any wildlife and every act of assistance to any person in so doing. (NRS 501.090)  
11 Existing law defines the term "wildlife" to mean any wild mammal, wild bird, fish,  
12 reptile, amphibian, mollusk or crustacean found naturally in a wild state, whether  
13 indigenous to Nevada or not and whether raised in captivity or not. (NRS 501.097)  
14 **Section 2** of this bill amends the definition of the words "to trap," "trapping" and  
15 "trapped" to delete the term "wildlife" and substitute the term "animal."

16 **Section 3** of this bill requires the Department of Wildlife to develop standard  
17 language for inclusion in any sign that is used to warn a person that trapping may  
18 occur in any area of this State. **Section 3** also requires each state agency which  
19 manages any public land in this State in which trapping may occur to ensure that  
20 each sign: (1) includes any standard language developed by the Department; and  
21 (2) is posted in certain locations specified by the Department.

22 Existing law authorizes each trap, snare or similar device used by a person in  
23 the taking of wild mammals to be registered with the Department of Wildlife before  
24 it is used. Existing law also requires each registered trap, snare or similar device to  
25 bear a number which is assigned by the Department. A registration fee of \$10 for  
26 each registrant is payable only once by each person who registers a trap, snare or  
27 similar device. Any information in the possession of the Department concerning the  
28 registration of a trap, snare or similar device is confidential. (NRS 503.452) **Section**  
29 **5** of this bill requires, rather than authorizes, the registration of a trap, snare or  
30 similar device used by a person in the taking of wild mammals. **Section 5** also: (1)  
31 requires the number assigned by the Department for a registered trap, snare or  
32 similar device to be clearly stamped on the trap, snare or similar device or on a  
33 metal tag which is attached to the trap, snare or similar device; (2) deletes the  
34 provisions of existing law which declare that any information in the possession of  
35 the Department concerning the registration of a trap, snare or similar device is  
36 confidential; and (3) requires an owner or occupant of certain private property who  
37 uses an unregistered trap, snare or similar device on the private property to register  
38 the trap, snare or similar device before using it on any public land in this State.  
39 **Section 8** of this bill makes a conforming change.

40 Existing law makes it unlawful to remove or disturb the trap, snare or similar  
41 device of a holder of a trapping license while the trap, snare or similar device is  
42 being legally used by the holder. (NRS 503.454) **Section 6** of this bill authorizes a  
43 person to: (1) remove or disturb the trap, snare or similar device under certain  
44 conditions which create a risk to the safety of the public; or (2) release any person  
45 or animal accompanying the person from a trap, snare or similar device in  
46 which the person or animal is caught. **Section 4** of this bill makes a conforming  
47 change.

48 Existing law requires a person who takes or causes to be taken any wild  
49 mammals by means of a trap, snare or similar device which does not, or is not  
50 designed to, cause immediate death to the mammals to visit the trap, snare or  
51 similar device at a frequency specified in regulations adopted by the Board of  
52 Wildlife Commissioners. (NRS 503.570) **Section 7** of this bill requires a person  
53 who takes or causes to be taken any wild mammals by means of any trap, snare or  
54 similar device, regardless of whether the trap, snare or similar device causes



55 immediate death to the mammals, to visit the trap, snare or similar device at least  
56 once every 24 hours.

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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1       **Section 1.** NRS 501.089 is hereby amended to read as follows:  
2       501.089 “Trap” means a device that is designed, built or made  
3 to close upon or hold fast any portion of an animal. *The term does*  
4 *not include:*

- 5       1. *Any cage or box trap, net or suitcase-type live beaver trap;*  
6 *or*  
7       2. *Any device that is designed, built or made to close upon or*  
8 *hold fast any vertebrate pest as defined in NRS 555.005.*

9       **Sec. 2.** NRS 501.090 is hereby amended to read as follows:  
10       501.090 The words “to trap” and their derivatives, “trapping”  
11 and “trapped,” mean to set or operate any device, mechanism or  
12 contraption that is designed, built or made to close upon or hold fast  
13 any ~~wildlife~~ *animal* and every act of assistance to any person in so  
14 doing.

15       **Sec. 3.** Chapter 503 of NRS is hereby amended by adding  
16 thereto a new section to read as follows:

17       1. *Each state agency which manages any public land in this*  
18 *State in which trapping may occur shall ensure that each sign for*  
19 *which the Department develops standard language pursuant to*  
20 *subsection 2 includes that language and is posted:*

21       (a) *At each visitor center, kiosk, trailhead or other location*  
22 *specified by the Department; and*

23       (b) *In a place in which the sign is readily observable by*  
24 *members of the public at the visitor center, kiosk, trailhead or*  
25 *other location.*

26       2. *The Department shall:*

27       (a) *Develop standard language for inclusion in any sign that is*  
28 *used to warn a person that trapping may occur in any area in this*  
29 *State; and*

30       (b) *Develop the standard language specified in paragraph (a)*  
31 *in cooperation with each federal or state agency which manages*  
32 *any public land in this State in which trapping may occur.*

33       **Sec. 4.** NRS 503.015 is hereby amended to read as follows:

34       503.015 1. ~~##~~ *Except as otherwise provided in NRS*  
35 *503.454, it is unlawful for a person, or a group of people acting*  
36 *together, to intentionally interfere with another person who is*  
37 *lawfully hunting or trapping. For the purpose of this subsection,*  
38 *hunting or trapping is “lawful” only if permitted by the owner or*  
39 *person in possession of the land, other than the government, in*



1 addition to any requirement of license or permit from a public  
2 authority.

3 2. The provisions of subsection 1 do not apply to any incidental  
4 interference arising from lawful activity by users of the public land,  
5 including without limitation ranchers, miners or persons seeking  
6 lawful recreation.

7 **Sec. 5.** NRS 503.452 is hereby amended to read as follows:

8 503.452 1. Except as otherwise provided in subsection 2,  
9 each trap, snare or similar device used by a person in the taking of  
10 wild mammals ~~may~~ **must** be registered with the Department before  
11 it is used. Each registered trap, snare or similar device must bear a  
12 number which is assigned by the Department and is ~~affixed to or~~  
13 ~~marked~~ **clearly stamped** on the trap, snare or similar device ~~in the~~  
14 ~~manner specified by regulations adopted by the Commission.~~ **or on**  
15 **a metal tag that is attached to the trap, snare or similar device.** The  
16 registration of a trap, snare or similar device is valid until the trap,  
17 snare or similar device is sold or ownership of the trap, snare or  
18 similar device is otherwise transferred.

19 2. The provisions of subsection 1 do not apply to a trap, snare  
20 or similar device used:

21 (a) Exclusively on private property which is posted or fenced in  
22 accordance with the provisions of NRS 207.200 by the owner or  
23 occupant of the property or with the permission of the owner or  
24 occupant;

25 (b) For the control of rodents by an institution of the Nevada  
26 System of Higher Education;

27 (c) By any federal, state or local governmental agency; or

28 (d) For the taking of wild mammals for scientific or educational  
29 purposes under a permit issued by the Department pursuant to  
30 NRS 503.650.

31 3. A registration fee of \$10 for each registrant is payable only  
32 once by each person who registers a trap, snare or similar device.  
33 The fee must be paid at the time the first trap, snare or similar  
34 device is registered.

35 4. It is unlawful:

36 (a) For a person to whom a trap, snare or similar device is  
37 registered to allow another person to possess or use the trap, snare or  
38 similar device without providing to that person written authorization  
39 to possess or use the trap, snare or similar device.

40 (b) For a person to possess or use a trap, snare or similar device  
41 registered to another person without obtaining the written  
42 authorization required pursuant to paragraph (a). If a person obtains  
43 written authorization to possess or use a trap, snare or similar device  
44 pursuant to paragraph (a), the person shall ensure that the written  
45 authorization, together with his or her trapping license, is in his or



1 her possession during any period in which he or she uses the trap,  
2 snare or similar device to take fur-bearing mammals.

3 5. A person to whom a trap, snare or similar device is  
4 registered pursuant to this section shall report any theft of the trap,  
5 snare or similar device to the Department as soon as it is practical to  
6 do so after the person discovers the theft.

7 6. ~~{Any information in the possession of the Department~~  
8 ~~concerning the registration of a}~~ *If an owner or occupant of private*  
9 *property uses an unregistered* trap, snare or similar device ~~{is~~  
10 ~~confidential and the Department shall not disclose that information~~  
11 ~~unless required to do so by law or court order.}~~ *on the private*  
12 *property pursuant to paragraph (a) of subsection 2, the owner or*  
13 *occupant of the private property shall register the trap, snare or*  
14 *similar device before using the trap, snare or similar device on any*  
15 *public land in this State.*

16 **Sec. 6.** NRS 503.454 is hereby amended to read as follows:

17 503.454 1. Every person who takes fur-bearing mammals by  
18 trap, snare or similar device or unprotected mammals by trapping or  
19 sells raw furs for profit shall procure a trapping license.

20 2. ~~{}~~ *Except as otherwise provided in subsection 3, it*  
21 *is unlawful to remove or disturb the trap, snare or similar device of*  
22 *any holder of a trapping license while the trap, snare or similar*  
23 *device is being legally used by the holder on public land or on land*  
24 *where the holder has permission to trap.*

25 3. *A person may:*

26 (a) *Remove or disturb a trap, snare or similar device if the*  
27 *trap, snare or similar device creates:*

28 (1) *An immediate risk of physical injury or death to any*  
29 *person or animal accompanying a person; or*

30 (2) *A risk to the safety of the public.*

31 (b) *Release any person or animal accompanying a person from*  
32 *a trap, snare or similar device in which the person or animal is*  
33 *caught.*

34 **Sec. 7.** NRS 503.570 is hereby amended to read as follows:

35 503.570 1. A person taking or causing to be taken wild  
36 mammals by means of traps, snares or similar devices ~~{which do~~  
37 ~~not, or are not designed to, cause immediate death to the mammals,~~  
38 ~~shall, if the traps, snares or similar devices are placed or set to take~~  
39 ~~mammals.}~~ *shall* visit or cause to be visited each trap, snare or  
40 similar device ~~{at a frequency specified in regulations adopted by~~  
41 ~~the Commission pursuant to subsection 3}~~ *at least once every 24*  
42 *hours beginning at and* during all of the time the trap, snare or  
43 similar device is placed, set or used to take wild mammals, and  
44 remove therefrom any ~~{mammals}~~ *animal* caught therein.



1 2. The provisions of subsection 1 do not apply to employees of  
2 the State Department of Agriculture or the United States Department  
3 of Agriculture when acting in their official capacities.

4 ~~3.—The Commission shall adopt regulations setting forth the  
5 frequency at which a person who takes or causes to be taken wild  
6 mammals by means of traps, snares or similar devices which do not,  
7 or are not designed to, cause immediate death to the mammals must  
8 visit a trap, snare or similar device. The regulations must require the  
9 person to visit a trap, snare or similar device at least once each 96  
10 hours. In adopting the regulations, the Commission shall consider  
11 requiring a trap, snare or similar device placed in close proximity to  
12 a populated or heavily used area by persons to be visited more  
13 frequently than a trap, snare or similar device which is not placed in  
14 close proximity to such an area.]~~

15 **Sec. 8.** NRS 239.010 is hereby amended to read as follows:

16 239.010 1. Except as otherwise provided in this section and  
17 NRS 1.4683, 1.4687, 1A.110, 41.071, 49.095, 62D.420, 62D.440,  
18 62E.516, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320,  
19 75A.100, 75A.150, 76.160, 78.152, 80.113, 81.850, 82.183, 86.246,  
20 86.54615, 87.515, 87.5413, 87A.200, 87A.580, 87A.640, 88.3355,  
21 88.5927, 88.6067, 88A.345, 88A.7345, 89.045, 89.251, 90.730,  
22 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260,  
23 119.265, 119.267, 119.280, 119A.280, 119A.653, 119B.370,  
24 119B.382, 120A.690, 125.130, 125B.140, 126.141, 126.161,  
25 126.163, 126.730, 127.007, 127.057, 127.130, 127.140, 127.2817,  
26 130.312, 130.712, 136.050, 159.044, 172.075, 172.245, 176.015,  
27 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715,  
28 178.5691, 179.495, 179A.070, 179A.165, 179A.450, 179D.160,  
29 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651,  
30 209.392, 209.3925, 209.419, 209.521, 211A.140, 213.010, 213.040,  
31 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218A.350,  
32 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 228.270,  
33 228.450, 228.495, 228.570, 231.069, 231.1473, 233.190, 237.300,  
34 239.0105, 239.0113, 239B.030, 239B.040, 239B.050, 239C.140,  
35 239C.210, 239C.230, 239C.250, 239C.270, 240.007, 241.020,  
36 241.030, 241.039, 242.105, 244.264, 244.335, 250.087, 250.130,  
37 250.140, 250.150, 268.095, 268.490, 268.910, 271A.105, 281.195,  
38 281A.350, 281A.440, 281A.550, 284.4068, 286.110, 287.0438,  
39 289.025, 289.080, 289.387, 289.830, 293.5002, 293.503, 293.558,  
40 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335,  
41 338.070, 338.1379, 338.16925, 338.1725, 338.1727, 348.420,  
42 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100,  
43 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.610,  
44 365.138, 366.160, 368A.180, 372A.080, 378.290, 378.300, 379.008,  
45 385A.830, 385B.100, 387.626, 387.631, 388.1455, 388.259,



1 388.501, 388.503, 388.513, 388.750, 391.035, 392.029, 392.147,  
2 392.264, 392.271, 392.850, 394.167, 394.1698, 394.447, 394.460,  
3 394.465, 396.3295, 396.405, 396.525, 396.535, 398.403, 408.3885,  
4 408.3886, 408.3888, 408.5484, 412.153, 416.070, 422.2749,  
5 422.305, 422A.342, 422A.350, 425.400, 427A.1236, 427A.872,  
6 432.205, 432B.175, 432B.280, 432B.290, 432B.407, 432B.430,  
7 432B.560, 433.534, 433A.360, 439.840, 439B.420, 440.170,  
8 441A.195, 441A.220, 441A.230, 442.330, 442.395, 445A.665,  
9 445B.570, 449.209, 449.245, 449.720, 450.140, 453.164, 453.720,  
10 453A.610, 453A.700, 458.055, 458.280, 459.050, 459.3866,  
11 459.555, 459.7056, 459.846, 463.120, 463.15993, 463.240,  
12 463.3403, 463.3407, 463.790, 467.1005, 480.365, 481.063, 482.170,  
13 482.5536, 483.340, 483.363, 483.575, 483.659, 483.800, 484E.070,  
14 485.316, ~~503.452~~, 522.040, 534A.031, 561.285, 571.160, 584.655,  
15 587.877, 598.0964, 598.098, 598A.110, 599B.090, 603.070,  
16 603A.210, 604A.710, 612.265, 616B.012, 616B.015, 616B.315,  
17 616B.350, 618.341, 618.425, 622.310, 623.131, 623A.137, 624.110,  
18 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230,  
19 628B.760, 629.047, 629.069, 630.133, 630.30665, 630.336,  
20 630A.555, 631.368, 632.121, 632.125, 632.405, 633.283, 633.301,  
21 633.524, 634.055, 634.214, 634A.185, 635.158, 636.107, 637.085,  
22 637B.288, 638.087, 638.089, 639.2485, 639.570, 640.075,  
23 640A.220, 640B.730, 640C.400, 640C.745, 640C.760, 640D.190,  
24 640E.340, 641.090, 641A.191, 641B.170, 641C.760, 642.524,  
25 643.189, 644.446, 645.180, 645.625, 645A.050, 645A.082,  
26 645B.060, 645B.092, 645C.220, 645C.225, 645D.130, 645D.135,  
27 645E.300, 645E.375, 645G.510, 645H.320, 645H.330, 647.0945,  
28 647.0947, 648.033, 648.197, 649.065, 649.067, 652.228, 654.110,  
29 656.105, 661.115, 665.130, 665.133, 669.275, 669.285, 669A.310,  
30 671.170, 673.430, 675.380, 676A.340, 676A.370, 677.243,  
31 679B.122, 679B.152, 679B.159, 679B.190, 679B.285, 679B.690,  
32 680A.270, 681A.440, 681B.260, 681B.410, 681B.540, 683A.0873,  
33 685A.077, 686A.289, 686B.170, 686C.306, 687A.110, 687A.115,  
34 687C.010, 688C.230, 688C.480, 688C.490, 692A.117, 692C.190,  
35 692C.3536, 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615,  
36 696B.550, 703.196, 704B.320, 704B.325, 706.1725, 706A.230,  
37 710.159, 711.600, sections 35, 38 and 41 of chapter 478, Statutes of  
38 Nevada 2011 and section 2 of chapter 391, Statutes of Nevada 2013  
39 and unless otherwise declared by law to be confidential, all public  
40 books and public records of a governmental entity must be open at  
41 all times during office hours to inspection by any person, and may  
42 be fully copied or an abstract or memorandum may be prepared  
43 from those public books and public records. Any such copies,  
44 abstracts or memoranda may be used to supply the general public  
45 with copies, abstracts or memoranda of the records or may be used



1 in any other way to the advantage of the governmental entity or of  
2 the general public. This section does not supersede or in any manner  
3 affect the federal laws governing copyrights or enlarge, diminish or  
4 affect in any other manner the rights of a person in any written book  
5 or record which is copyrighted pursuant to federal law.

6 2. A governmental entity may not reject a book or record  
7 which is copyrighted solely because it is copyrighted.

8 3. A governmental entity that has legal custody or control of a  
9 public book or record shall not deny a request made pursuant to  
10 subsection 1 to inspect or copy or receive a copy of a public book or  
11 record on the basis that the requested public book or record contains  
12 information that is confidential if the governmental entity can  
13 redact, delete, conceal or separate the confidential information from  
14 the information included in the public book or record that is not  
15 otherwise confidential.

16 4. A person may request a copy of a public record in any  
17 medium in which the public record is readily available. An officer,  
18 employee or agent of a governmental entity who has legal custody  
19 or control of a public record:

20 (a) Shall not refuse to provide a copy of that public record in a  
21 readily available medium because the officer, employee or agent has  
22 already prepared or would prefer to provide the copy in a different  
23 medium.

24 (b) Except as otherwise provided in NRS 239.030, shall, upon  
25 request, prepare the copy of the public record and shall not require  
26 the person who has requested the copy to prepare the copy himself  
27 or herself.

28 **Sec. 9.** This act becomes effective on July 1, 2017.

