

SENATE BILL NO. 365—SENATORS PARKS, MANENDO, SEGERBLOM, RATTI, SPEARMAN; ATKINSON, CANNIZZARO AND WOODHOUSE

MARCH 20, 2017

Referred to Committee on Natural Resources

SUMMARY—Makes various changes relating to trapping. (BDR 45-108)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility. 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.

AN ACT relating to trapping; revising certain definitions; requiring certain reports or questionnaires returned to the Department of Wildlife by the holder of a trapping license to include a statement setting forth the amount of any profit obtained by the holder from trapping and the amount of any applicable sales tax collected; making it unlawful to trap any animal on public lands; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Existing law defines the words “to trap” and the derivatives “trapping” and
- 2 “trapped” to mean to set or operate any device, mechanism or contraption that is
- 3 designed, built or made to close upon or hold fast any wildlife and every act of
- 4 assistance to any person so doing. (NRS 501.090) Existing law defines the term
- 5 “wildlife” to mean any wild mammal, wild bird, fish, reptile, amphibian, mollusk or
- 6 crustacean found naturally in a wild state, whether indigenous to Nevada or not and
- 7 whether raised in captivity or not. (NRS 501.097) **Section 1** of this bill revises the
- 8 definition of “to trap,” “trapping” and “trapped” by deleting the term “wildlife” and
- 9 substituting the term “animal.”
- 10 Existing law sets forth certain legislative declarations regarding wildlife. (NRS
- 11 501.100) **Section 2** of this bill amends existing law by adding to those declarations
- 12 a statement indicating that the prohibition of trapping on public lands will achieve
- 13 the goal of preserving animals in the State of Nevada.
- 14 Existing law authorizes the Department of Wildlife to determine methods of
- 15 obtaining necessary data from hunters, trappers and anglers relative to their



16 activities and success. The methods may include a return of reports attached to
17 licenses and tags or questionnaires addressed to license holders. (NRS 501.119)
18 **Section 3** of this bill requires any report or questionnaire returned to the
19 Department by the holder of a trapping license to include a statement setting forth
20 the amount of profit obtained by him or her from trapping and the amount of any
21 applicable sales tax collected.

22 Under existing law, a person is guilty of a misdemeanor if the person performs
23 an act or attempts to perform an act which is made unlawful by a provision of title
24 45 of NRS governing wildlife. (NRS 501.385) Existing law makes it unlawful for a
25 person to hunt any fur-bearing mammal other than by trap, gun or bow and arrow.
26 (NRS 503.450) **Section 4** of this bill makes it unlawful for any person at any time
27 to trap any animals on public lands. **Section 4** defines "public lands" to include any
28 land that is owned or leased by a city or county or the State of Nevada and any land
29 that is managed and controlled in this State by the Bureau of Land Management,
30 the Bureau of Reclamation, the National Park Service, the United States
31 Department of Defense, the United States Department of Energy and the United
32 States Forest Service. **Section 5** of this bill makes a conforming change.

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

1 **Section 1.** NRS 501.090 is hereby amended to read as follows:
2 501.090 The words "to trap" and their derivatives, "trapping"
3 and "trapped," mean to set or operate any device, mechanism or
4 contraption that is designed, built or made to close upon or hold fast
5 any ~~wildlife~~ *animal* and every act of assistance to any person in so
6 doing.

7 **Sec. 2.** NRS 501.100 is hereby amended to read as follows:
8 501.100 1. Wildlife in this State not domesticated and in its
9 natural habitat is part of the natural resources belonging to the
10 people of the State of Nevada.

11 2. The preservation, protection, management and restoration of
12 wildlife within the State contribute immeasurably to the aesthetic,
13 recreational and economic aspects of these natural resources.

14 *3. Prohibiting trapping on public lands in the State of Nevada*
15 *will achieve the goal of preserving animals in the State. As used in*
16 *this subsection, "public lands" has the meaning ascribed to it in*
17 *NRS 503.450.*

18 **Sec. 3.** NRS 501.119 is hereby amended to read as follows:
19 501.119 1. The Department is authorized to determine
20 methods of obtaining necessary data from hunters, trappers and
21 anglers relative to their activities and success.

22 2. The methods may include return of reports attached to
23 licenses and tags or questionnaires addressed to license holders. *Any*
24 *report or questionnaire returned pursuant to this subsection by the*
25 *holder of a trapping license must include a statement setting forth*



1 *the amount of any profit obtained by the holder from trapping and*
2 *the amount of any applicable sales tax collected.*

3 3. Failure to return such a report or questionnaire within the
4 period specified by regulation of the Commission or the submission
5 of any false statement thereon is cause for the Commission to:

6 (a) Deny the person the right to acquire any license provided
7 under this title for a period of 1 year; or

8 (b) Levy an administrative fine of \$50 against the person.

9 4. Any statement made on such a report or questionnaire may
10 not be the basis for prosecution for any indicated violations of other
11 sections of this title.

12 **Sec. 4.** NRS 503.450 is hereby amended to read as follows:

13 503.450 1. It is unlawful for any person at any time ~~to~~ :

14 (a) *To* hunt any fur-bearing mammal in any manner other than
15 by trap, gun or bow and arrow.

16 (b) *To trap any animal on public lands.*

17 2. *As used in this section, "public lands" includes any land*
18 *that is owned or leased by a city or county or the State of Nevada*
19 *and any land that is managed and controlled in this State by the*
20 *Bureau of Land Management, the Bureau of Reclamation, the*
21 *National Park Service, the United States Department of Defense,*
22 *the United States Department of Energy and the United States*
23 *Forest Service.*

24 **Sec. 5.** NRS 503.454 is hereby amended to read as follows:

25 503.454 1. Every person who takes fur-bearing mammals by
26 trap, snare or similar device or unprotected mammals by trapping or
27 sells raw furs for profit shall procure a trapping license.

28 2. It is unlawful to remove or disturb the trap, snare or similar
29 device of any holder of a trapping license while the trap, snare or
30 similar device is being legally used by the holder on public land or
31 on land where the holder has permission to trap. *It is not a violation*
32 *of this subsection to remove or disturb a trap being used in*
33 *violation of NRS 503.450.*

34 **Sec. 6.** This act becomes effective upon passage and approval.

