

Stricken language would be deleted from and underlined language would be added to present law.
Act 723 of the Regular Session

State of Arkansas *As Engrossed: H3/5/15 S3/11/15 S3/18/15*
90th General Assembly
Regular Session, 2015

A Bill

HOUSE BILL 1569

By: Representatives Vaught, Baltz, Beck, Blake, Boyd, Bragg, Branscum, Collins, Copeland, Cozart, Davis, Dotson, Drown, Eads, Eaves, Eubanks, C. Fite, L. Fite, Gates, Gossage, M.J. Gray, M. Gray, Hammer, Harris, Henderson, Hillman, M. Hodges, House, Ladyman, Leding, Lemons, Lowery, Lundstrum, Magie, G. McGill, Murdock, Neal, Payton, Petty, Pitsch, Ratliff, Rushing, Scott, B. Smith, Speaks, Sturch, Sullivan, Tosh, Tucker, Vines, Wallace
By: Senators G. Stubblefield, Caldwell, E. Cheatham, B. Johnson, B. Pierce, J. Woods

For An Act To Be Entitled

AN ACT CONCERNING FERAL HOGS; TO PROVIDE FOR THE DISPOSITION OF FEES AND FINES RELATED TO FERAL HOGS; TO PROVIDE FOR A RESIDENT DEPREDATION PERMIT TO HUNT AND TRAP FERAL HOGS; AND FOR OTHER PURPOSES.

Subtitle

TO PROVIDE FOR THE DISPOSITION OF FEES AND FINES RELATED TO FERAL HOGS; AND TO PROVIDE FOR A RESIDENT DEPREDATION PERMIT TO HUNT AND TRAP FERAL HOGS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 2-38-502 is amended to read as follows:

2-38-502. Capturing and killing feral hogs.

(a) A person may capture or kill a feral hog only as follows:

(1) On private land if the person is the landowner or lessee or has the permission of the landowner or lessee; and

(2)(A) On public land if:

(i) Allowed by the landowner; and

(ii) The person possesses a valid Arkansas hunting license and complies with Arkansas hunting regulations.



(B) However, a certified law enforcement officer or a public employee engaged in the performance of his or her official duties is exempt from the requirement under subdivision (a)(2)(A) of this section.

(b) A person whose hunting license is revoked shall not take or kill a feral hog during the period of the revocation.

(c) *A feral hog captured by any means ~~in accordance with~~ under subsection (a) of this section shall be immediately:*

(1) Killed; or

(2)(A) Permanently identified by eartag approved by the Arkansas Livestock and Poultry Commission and transported to a terminal facility that is certified by the commission.

~~*(B) A feral hog that is transported to a terminal facility under subdivision (c)(2)(A) of this section is exempt from any requirements for disease testing established by the commission.*~~

~~*(G) (B) The commission shall adopt regulations for the issuance of a certification permit for a terminal facility and the requirements for inspection of a terminal facility.*~~

(C) A terminal facility shall:

(i) Maintain a record of each feral hog purchased, including without limitation the:

(a) Name of the seller;

(b) Date of the purchase;

(c) Number of feral hogs purchased; and

(d) Eartag number issued for each feral hog purchased; and

(ii) Comply with all swine regulations promulgated by the commission.

(D) As used in this subsection, "terminal facility" means a facility for the containment of domestic and feral hogs that requires that a hog be killed before leaving the facility.

(E) A feral hog shall not be released into the wild under any circumstances.

SECTION 2. Arkansas Code § 2-38-504(a), concerning penalties for releasing hogs into the wild, *is* amended to read as follows:

(a) A person who knowingly releases or attempts to release a live hog

upon public land upon conviction is guilty of an unclassified ~~felony~~ misdemeanor and is subject to a fine of not less than one thousand dollars (\$1,000) per hog nor more than five thousand dollars (\$5,000) per hog ~~or imprisonment not to exceed two (2) years, or both~~ and revocation of his or her hunting and fishing rights in the state for up to five (5) years.

SECTION 3. Arkansas Code § 2-38-504, concerning penalties for releasing hogs into the wild, is amended to add additional subsections to read as follows:

(g) Any certified state law enforcement officer may write a citation for a violation under this section.

(h) Fines collected under this section shall be deposited into the Game Protection Fund to be used for eradication efforts to eliminate feral hogs.

(i) This section does not apply to the purchase, sale, receipt, possession, import, or transportation of a live feral hog that serves as a mascot for an institution of higher education.

SECTION 4. Arkansas Code Title 15, Chapter 42, Subchapter 1, is amended to add an additional section to read as follows:

15-42-129. Resident feral hog depredation permit.

(a) The Arkansas State Game and Fish Commission may issue a resident depredation permit for hunting and trapping feral hogs.

(b) A person may obtain a depredation permit issued under this section by:

(1) Applying to the *commission*; and

(2) Furnishing information required by the commission to verify *eligibility*.

(c) A depredation permit issued under this section shall:

(1) Be in the same form and contain the same information as other depredation permits issued by the commission; and

(2) Contain any other information required by the commission.

(d) A property owner or tenant shall not be required to obtain a depredation permit issued under this section to hunt or trap feral hogs on the private property owned by the owner or leased by the tenant.

(e) The commission may promulgate rules to implement this section.

/s/Vaught

APPROVED: 03/27/2015