

CHAPTER 26

HUNTING LICENSES — EDUCATION REQUIREMENTS AND APPRENTICE HUNTERS

S.F. 392

AN ACT relating to hunter education license requirements, providing for a hunting license with an apprentice hunter designation, and including penalty provisions.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 483A.7, subsection 3, paragraph a, Code 2015, is amended to read as follows:

a. A nonresident wild turkey hunter is required to purchase a nonresident hunting license that includes the wildlife habitat fee and a nonresident wild turkey hunting license. The commission shall annually limit to two thousand three hundred licenses the number of nonresidents allowed to have wild turkey hunting licenses. Of the two thousand three hundred licenses, one hundred fifty licenses shall be valid for hunting with muzzle loading shotguns only. The commission shall allocate the nonresident wild turkey hunting licenses issued among the zones based on the populations of wild turkey. A nonresident applying for a wild turkey hunting license must exhibit proof of having successfully completed a hunter ~~safety and ethics~~ education program as provided in section 483A.27 or its equivalent as determined by the department before the license is issued.

Sec. 2. Section 483A.8, subsection 3, paragraph d, Code 2015, is amended to read as follows:

d. The commission shall allocate all nonresident deer hunting licenses issued among the zones based on the populations of deer. However, a nonresident applicant may request one or more hunting zones, in order of preference, in which the applicant wishes to hunt. If the request cannot be fulfilled, the applicable fees shall be returned to the applicant. A nonresident applying for a deer hunting license must exhibit proof of having successfully completed a hunter ~~safety and ethics~~ education program as provided in section 483A.27 or its equivalent as determined by the department before the license is issued.

Sec. 3. Section 483A.24, subsection 3, paragraph a, Code 2015, is amended to read as follows:

a. Fifty of the nonresident deer hunting licenses shall be allocated as requested by a majority of a committee consisting of the majority leader of the senate, speaker of the house of representatives, and director of the economic development authority, or their designees. The licenses provided pursuant to this subsection shall be in addition to the number of nonresident licenses authorized pursuant to section 483A.8. The purpose of the special nonresident licenses is to allow state officials and local development groups to promote the state and its natural resources to nonresident guests and dignitaries. Photographs, videotapes, or any other form of media resulting from the hunting visitation shall not be used for political campaign purposes. The nonresident licenses shall be issued without application upon purchase of a nonresident hunting license that includes the wildlife habitat fee and the purchase of a nonresident deer hunting license. The licenses are valid in all zones open to deer hunting. The hunter ~~safety and ethics~~ education certificate requirement pursuant to section 483A.27 is waived for a nonresident issued a license pursuant to this subsection.

Sec. 4. Section 483A.24, subsection 4, paragraph a, Code 2015, is amended to read as follows:

a. Fifty of the nonresident wild turkey hunting licenses shall be allocated as requested by a majority of a committee consisting of the majority leader of the senate, speaker of the house of representatives, and director of the economic development authority, or their designees. The licenses provided pursuant to this subsection shall be in addition to the number of nonresident licenses authorized pursuant to section 483A.7. The purpose of the special nonresident licenses is to allow state officials and local development groups to promote the state and its natural resources to nonresident guests and dignitaries. Photographs,

videotapes, or any other form of media resulting from the hunting visitation shall not be used for political campaign purposes. The nonresident licenses shall be issued without application upon purchase of a nonresident hunting license that includes the wildlife habitat fee and the purchase of a nonresident wild turkey hunting license. The licenses are valid in all zones open to wild turkey hunting. The hunter ~~safety and ethics~~ education certificate requirement pursuant to section 483A.27 is waived for a nonresident issued a license pursuant to this subsection.

Sec. 5. Section 483A.24, subsection 5, paragraph e, Code 2015, is amended to read as follows:

e. A disabled person who receives a special license under this subsection shall complete the hunter ~~safety and ethics~~ education course.

Sec. 6. Section 483A.24, subsection 12, paragraph d, Code 2015, is amended to read as follows:

d. A nonresident who receives a special license pursuant to this subsection shall purchase a hunting license that includes the wildlife habitat fee and the applicable nonresident turkey or deer hunting license, but is not required to complete the hunter ~~safety and ethics~~ education course if the person is accompanied and aided by a person who is at least eighteen years of age. The accompanying person must be qualified to hunt and have a hunting license that includes the wildlife habitat fee. During the hunt, the accompanying adult must be within arm's reach of the nonresident licensee.

Sec. 7. Section 483A.27, Code 2015, is amended to read as follows:

483A.27 Hunter ~~safety and ethics~~ education program — license requirement.

1. A person born after January 1, 1972, shall not obtain a hunting license unless the person has satisfactorily completed a hunter ~~safety and ethics~~ education course approved by the commission. A person who is eleven years of age or more may enroll in an approved hunter ~~safety and ethics~~ education course, but a person who is eleven years of age and who has successfully completed the course shall be issued a certificate of completion which becomes valid on the person's twelfth birthday. A certificate of completion from an approved hunter ~~safety and ethics~~ education course issued in this state, or a certificate issued by another state, country, or province for completion of a course that meets the standards adopted by the international hunter education association — United States of America, is valid for the requirements of this section.

2. a. A certificate of completion shall not be issued to a person who has not satisfactorily completed a ~~minimum of ten hours of training in an approved hunter safety and ethics education course.~~ The department shall establish the curriculum based on the standards adopted by the international hunter education association — United States of America for ~~the first ten hours of an~~ the approved hunter ~~safety and ethics~~ education course ~~offered in this state.~~ Upon completion of the ten-hour curriculum course, each person shall pass an individual oral test or a written test provided by the department. The department shall establish the criteria for successfully passing the tests. Based on the results of the test and demonstrated safe handling of a firearm, the instructor shall determine the persons who shall be issued a certificate of completion.

b. Notwithstanding paragraph "a", a resident who is eighteen years of age or older may obtain a certificate of completion without demonstrating the safe handling of a firearm.

3. The department shall provide a manual regarding hunter ~~safety and ethics~~ education which shall be used by all instructors and persons receiving hunter ~~safety and ethics~~ education training in this state. The department may produce the manual in a print or electronic format accessible from a computer, including from a data storage device or the department's internet site.

4. The department shall provide for the certification of persons who wish to become hunter ~~safety and ethics~~ education instructors. A person shall not act as an instructor in hunter ~~safety and ethics~~ education as provided in this section without first obtaining an instructor's certificate from the department.

5. An officer of the department or a certified instructor may issue a certificate to a person who has not completed the hunter ~~safety and ethics~~ education course but meets the criteria established by the commission.

6. A public or private school accredited pursuant to section 256.11 or an organization approved by the department may cooperate with the department in providing a course in hunter ~~safety and ethics~~ education or shooting sports activities as provided in this section.

7. A hunting license obtained under this section by a person who gave false information or presented a fraudulent certificate of completion shall be revoked and a new hunting license shall not be issued for at least two years from the date of conviction. A hunting license obtained by a person who was born after January 1, 1972, but has not satisfactorily completed the hunter ~~safety and ethics~~ education course or has not met the requirements established by the commission, shall be revoked.

8. The commission shall adopt rules in accordance with chapter 17A as necessary to carry out the administration of this section.

9. The initial hunter ~~safety~~ education certificate shall be issued without cost. A duplicate certificate shall be issued at a cost of three dollars upon payment of the writing fee and administrative fee, if applicable.

10. A person under eighteen years of age who is required to exhibit a valid hunting license, shall also exhibit a valid certificate of completion from a state approved hunter ~~safety and ethics~~ education course upon request of an officer of the department. A failure to carry or refusal to exhibit the certificate of completion as provided in this subsection is a violation of this chapter. A violator is guilty of a simple misdemeanor as provided in section 483A.42.

11. An instructor certified by the department shall be allowed to conduct a department-approved hunter ~~safety and ethics~~ education course or shooting sports activities course on public school property with the approval of a majority of the board of directors of the school district. Conducting an approved hunter ~~safety and ethics~~ education course or shooting sports activities course is not a violation of any public policy, rule, regulation, resolution, or ordinance which prohibits the possession, display, or use of a firearm, bow and arrow, or other hunting weapon on public school property or other public property in this state.

Sec. 8. NEW SECTION. 483A.27A Apprentice hunters.

1. Notwithstanding section 483A.27, a person who is sixteen years of age or older may purchase a hunting license with an apprentice hunter designation on the license without first completing a hunter education course if the person meets all the requirements of this section.

2. If the apprentice hunter is a minor, the person must be accompanied and aided while hunting by a mentor who is the person's parent or guardian, or be accompanied and aided by any other competent adult mentor with the consent of the minor's parent or guardian. If the apprentice hunter is not a minor, the apprentice hunter must be accompanied and aided while hunting by a competent adult mentor.

3. The mentor and the apprentice hunter must have valid hunting licenses that include the wildlife habitat fee and that are valid for the same seasons to hunt game.

a. A resident mentor and a resident apprentice hunter must also purchase deer hunting licenses and tags to hunt deer and wild turkey hunting licenses and tags to hunt wild turkey. Deer hunting licenses and tags purchased by a resident mentor and a resident apprentice hunter must be valid for the same seasons and zones. When hunting wild turkey a resident mentor having a license valid for one of the spring wild turkey hunting seasons may accompany and aid a resident apprentice hunter who has a valid wild turkey hunting license for any of the spring seasons as provided by rule. When hunting wild turkey in the fall, a resident mentor and a resident apprentice hunter must each have a fall wild turkey hunting license valid for the current year. A transportation tag issued to a resident apprentice hunter shall not be used to tag a deer or wild turkey taken by another person.

b. A nonresident apprentice hunter is not entitled to purchase a deer hunting license to hunt deer or a wild turkey hunting license to hunt wild turkey, or to participate in a hunt for deer or wild turkey.

4. While hunting, the apprentice hunter must be under the direct supervision of the mentor. For the purposes of this subsection, "*direct supervision*" means the mentor must

maintain constant direction and control of the apprentice hunter and stay within a distance from the apprentice hunter that enables the mentor to give uninterrupted, unaided visual and auditory communications to the apprentice hunter. There must be one licensed mentor in direct supervision of each apprentice hunter.

5. A hunting license with an apprentice hunter designation issued pursuant to this section is valid from the date issued to January 10 of the succeeding calendar year for which it is issued. A hunting license with an apprentice hunter designation shall contain the address, signature, and a general description of the licensee.

6. A person is eligible to obtain a hunting license with an apprentice hunter designation pursuant to this section only two times. Subsequently, the person must meet the requirements of section 483A.27 in order to obtain a hunting license.

7. The commission shall adopt rules pursuant to chapter 17A to administer this section.

Sec. 9. Section 484B.10, subsection 3, Code 2015, is amended to read as follows:

3. A nonresident youth under sixteen years of age may hunt game birds on a licensed hunting preserve upon securing an annual hunting preserve license restricted to hunting preserves only for a license fee of five dollars and payment of the wildlife habitat fee. A nonresident youth is not required to complete the hunter ~~safety and ethics~~ education course to obtain a hunting preserve license pursuant to this subsection if the youth is accompanied by a person who is at least eighteen years of age, is qualified to hunt, and possesses a valid hunting license that includes the wildlife habitat fee. During the hunt, the accompanying adult must be within arm's reach of the nonresident youth.

Sec. 10. Section 805.8B, subsection 3, paragraph b, Code 2015, is amended to read as follows:

b. For violations of sections 481A.54, 481A.69, 481A.71, 481A.72, 482.6, 483A.3, 483A.6, 483A.19, and 483A.27, and 483A.27A, the scheduled fine is twenty dollars.

Approved April 8, 2015