

SENATE BILL NO. 213—SENATORS PARKS, MANENDO, SPEARMAN,  
SEGERBLOM; AND WOODHOUSE (BY REQUEST)

MARCH 4, 2013

JOINT SPONSORS: ASSEMBLYMEN CARLTON, OHRENSCHALL;  
MARTIN, MUNFORD AND PIERCE

Referred to Committee on Natural Resources

SUMMARY—Revises certain provisions relating to trapping.  
(BDR 45-450)

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.

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

AN ACT relating to trapping; requiring the registration of each trap,  
snare or similar device used in the taking of wild  
mammals; authorizing the removal or disturbance of a  
trap, snare or similar device under certain circumstances;  
requiring the Board of Wildlife Commissioners to adopt  
regulations prescribing the frequency of required visits for  
a trap, snare or similar device; providing a penalty; and  
providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

1 Existing law provides that any person who intentionally steals, takes and carries  
2 away personal goods or property of another person with a value of less than \$650 or  
3 who knowingly buys, receives, possesses or withholds such property is guilty of a  
4 misdemeanor. (NRS 205.240, 205.275) **Section 1.6** of this bill provides that a  
5 person who intentionally steals, takes and carries away traps, snares or similar  
6 devices with an aggregate value of less than \$650 or who knowingly buys, receives,  
7 possesses or withholds stolen traps, snares or similar devices with an aggregate  
8 value of less than \$650 is guilty of a gross misdemeanor.  
9 Existing law requires a person who takes fur-bearing mammals by any legal  
10 method or unprotected mammals by trapping to obtain a trapping license. (NRS  
11 503.454) Existing law also provides that each trap, snare or similar device used in  
12 the taking of wild mammals may bear a number registered with the Department of



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13 Wildlife or may be permanently marked with the name and address of the owner or  
14 trapper using it. If a trap is registered, the registration is permanent and the  
15 registrant must pay a one-time fee of \$10 at the time the first trap, snare or similar  
16 device is registered. (NRS 503.452) **Section 3** of this bill amends those provisions  
17 by: (1) requiring each trap, snare or similar device used in the taking of wild  
18 mammals to be registered with the Department of Wildlife; and  
19 (2) requiring each registered trap, snare or similar device to bear a number assigned  
20 by the Department.

21 Under existing law, it is unlawful to move or disturb a lawfully-set trap. (NRS  
22 503.454) **Section 4** of this bill removes this prohibition for a trap, snare, or similar  
23 device that creates immediate and obvious risk or injury or death to persons, pets  
24 and service animals.

25 Existing law requires each person who sets or places a trap, snare or similar  
26 device to visit those devices at least once every 96 hours and requires the removal  
27 of trapped mammals from the devices. (NRS 503.570) **Section 5** of this bill  
28 requires the Board of Wildlife Commissioners to adopt regulations prescribing the  
29 frequency at which a person who sets or places a trap, snare or similar device is  
30 required to visit the trap, snare or similar device, which must be at least once every  
31 96 hours.

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

1 **Section 1.** Chapter 501 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 1.3 and 1.6 of this act.

3 **Sec. 1.3.** *“Trap” means a device that is designed, built or*  
4 *made to close upon or hold fast any portion of an animal.*

5 **Sec. 1.6. 1.** *Any person who intentionally steals, takes and*  
6 *carries away one or more traps, snares or similar devices owned by*  
7 *another person with an aggregate value of less than \$650 is guilty*  
8 *of a gross misdemeanor.*

9 **2.** *Any person who buys, receives, possesses or withholds one*  
10 *or more traps, snares or similar devices owned by another person*  
11 *with an aggregate value of less than \$650:*

12 *(a) Knowing that the traps, snares or similar devices are stolen*  
13 *property; or*

14 *(b) Under such circumstances as should have caused a*  
15 *reasonable person to know that the traps, snares or similar devices*  
16 *are stolen property,*  
17 *↪ is guilty of a gross misdemeanor.*

18 **Sec. 2.** NRS 501.001 is hereby amended to read as follows:  
19 501.001 As used in this title, unless the context otherwise  
20 requires, the words and terms defined in NRS 501.003 to 501.097,  
21 inclusive, *and section 1.3 of this act* have the meanings ascribed to  
22 them in those sections.

23 **Sec. 3.** NRS 503.452 is hereby amended to read as follows:  
24 503.452 **1.** Each trap, snare or similar device used in the  
25 taking of wild mammals ~~may~~ *must be registered with the*



1 *Department before it is used. Each registered trap, snare or*  
2 *similar device must bear a number ~~registered with~~ assigned by the*  
3 *Department. ~~for be permanently marked with the name and address~~*  
4 *of the owner or trapper using it. If a trap is registered, the* *The*  
5 *registration of a trap, snare or similar device is ~~permanent.~~ valid*  
6 *until the trap, snare or similar device is sold or ownership of the*  
7 *trap, snare or similar device is otherwise transferred.*

8 2. A registration fee of \$10 for each registrant is payable only  
9 once ~~+~~ *by each person who registers a trap, snare or similar*  
10 *device. The fee must be paid* at the time the first trap, snare or  
11 similar device is registered.

12 3. *A trap, snare or similar device sold or for which ownership*  
13 *is otherwise transferred on or after July 31, 2013, must not bear*  
14 *the registration number of the seller or transferor unless the trap,*  
15 *snare or similar device was permanently marked with the*  
16 *registration number of the person before that date.*

17 4. *It is unlawful to possess or use a trap, snare or similar*  
18 *device registered to another person without written authorization*  
19 *from the person to whom the trap, snare or similar device is*  
20 *registered.*

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

25 6. *Any information in the possession of the Department*  
26 *concerning the registration of a trap, snare or similar device is*  
27 *confidential and the Department shall not disclose that*  
28 *information unless required to do so by law or court order.*

29 **Sec. 4.** NRS 503.454 is hereby amended to read as follows:

30 503.454 1. Every person who takes fur-bearing mammals by  
31 ~~any legal method~~ *trap, snare or similar device* or unprotected  
32 mammals by trapping or sells raw furs for profit shall procure a  
33 trapping license.

34 2. It is unlawful to remove or disturb the trap, *snare or similar*  
35 *device* of any holder of a trapping license while the trap, *snare or*  
36 *similar device* is being legally used by the holder on public land or  
37 on land where the holder has permission to trap ~~+~~ *unless the trap,*  
38 *snare or similar device creates an immediate and obvious risk of*  
39 *injury or death to any person, pet or service animal.*

40 3. *As used in this section, "service animal" has the meaning*  
41 *ascribed to it in NRS 426.097.*

42 **Sec. 5.** NRS 503.570 is hereby amended to read as follows:

43 503.570 1. A person taking or causing to be taken wild  
44 mammals by means of traps, snares or ~~any other~~ *similar* devices  
45 which do not, or are not designed to, cause immediate death to the



1 mammals, shall, if the traps, snares or *similar* devices are placed or  
2 set to take mammals, visit or cause to be visited ~~at least once each~~  
3 ~~96 hours~~ each trap, snare or ~~tother~~ *similar* device *at a frequency*  
4 *specified in regulations adopted by the Commission pursuant to*  
5 *subsection 3* during all of the time the trap, snare or *similar* device  
6 is placed, set or used to take wild mammals, and remove therefrom  
7 any mammals caught therein.

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

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

22 **Sec. 5.5.** NRS 205.240 is hereby amended to read as follows:

23 205.240 1. Except as otherwise provided in NRS 205.220,  
24 205.226, 205.228 and 475.105, *and section 1.6 of this act*, a person  
25 commits petit larceny if the person:

26 (a) Intentionally steals, takes and carries away, leads away or  
27 drives away:

28 (1) Personal goods or property, with a value of less than  
29 \$650, owned by another person;

30 (2) Bedding, furniture or other property, with a value of less  
31 than \$650, which the person, as a lodger, is to use in or with his or  
32 her lodging and which is owned by another person; or

33 (3) Real property, with a value of less than \$650, that the  
34 person has converted into personal property by severing it from real  
35 property owned by another person.

36 (b) Intentionally steals, takes and carries away, leads away,  
37 drives away or entices away one or more domesticated animals or  
38 domesticated birds, with an aggregate value of less than \$650,  
39 owned by another person.

40 2. Unless a greater penalty is provided pursuant to NRS  
41 205.267, a person who commits petit larceny is guilty of a  
42 misdemeanor. In addition to any other penalty, the court shall order  
43 the person to pay restitution.



1       **Sec. 5.6.** NRS 205.275 is hereby amended to read as follows:  
2       205.275 1. ~~[A]~~ *Except as otherwise provided in section 1.6*

3 *of this act, a* person commits an offense involving stolen property if  
4 the person, for his or her own gain or to prevent the owner from  
5 again possessing the owner's property, buys, receives, possesses or  
6 withholds property:

7       (a) Knowing that it is stolen property; or  
8       (b) Under such circumstances as should have caused a  
9 reasonable person to know that it is stolen property.

10       2. A person who commits an offense involving stolen property  
11 in violation of subsection 1:

12       (a) If the value of the property is less than \$650, is guilty of a  
13 misdemeanor;

14       (b) If the value of the property is \$650 or more but less than  
15 \$3,500, is guilty of a category C felony and shall be punished as  
16 provided in NRS 193.130; or

17       (c) If the value of the property is \$3,500 or more or if the  
18 property is a firearm, is guilty of a category B felony and shall be  
19 punished by imprisonment in the state prison for a minimum term of  
20 not less than 1 year and a maximum term of not more than 10 years,  
21 and by a fine of not more than \$10,000.

22       3. In addition to any other penalty, the court shall order the  
23 person to pay restitution.

24       4. A person may be prosecuted and convicted pursuant to this  
25 section whether or not the principal is or has been prosecuted or  
26 convicted.

27       5. Possession by any person of three or more items of the same  
28 or a similar class or type of personal property on which a  
29 permanently affixed manufacturer's serial number or manufacturer's  
30 identification number has been removed, altered or defaced, is prima  
31 facie evidence that the person has violated this section.

32       6. For the purposes of this section, the value of the property  
33 involved shall be deemed to be the highest value attributable to the  
34 property by any reasonable standard.

35       7. As used in this section, "stolen property" means property  
36 that has been taken from its owner by larceny, robbery, burglary,  
37 embezzlement, theft or any other offense that is a crime against  
38 property, whether or not the person who committed the taking is or  
39 has been prosecuted or convicted for the offense.

40       **Sec. 6.** 1. This section, sections 1 to 2, inclusive, 4, 5.5 and  
41 5.6 of this act become effective upon passage and approval.

42       2. Sections 3 and 5 of this act become effective upon passage  
43 and approval for the purpose of adopting regulations and performing  
44 any other preparatory administrative tasks that are necessary to carry



1 out the provisions of this act and on July 31, 2013, for all other  
2 purposes.

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