

**House File 2118 - Introduced**

HOUSE FILE 2118

BY DONAHUE

**A BILL FOR**

1 An Act relating to the taking of black bears, gray wolves, and  
2 mountain lions, and providing penalties.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 456A.17, subsection 2, Code 2022, is  
2 amended to read as follows:

3 2. The state fish and game protection fund, except as  
4 otherwise provided, consists of all moneys accruing from  
5 license fees, civil penalties levied pursuant to section  
6 481A.41, and all other sources of revenue arising under the  
7 fish and wildlife programs. Notwithstanding section 12C.7,  
8 subsection 2, interest or earnings on investments or time  
9 deposits of the moneys in the state fish and game protection  
10 fund shall be credited to that fund.

11 Sec. 2. Section 481A.1, subsection 20, Code 2022, is amended  
12 to read as follows:

13 20. "*Fur-bearing animals*" means the following which  
14 are declared to be fur-bearing animals for the purpose of  
15 regulation and protection under the Code: beaver, badger,  
16 mink, otter, muskrat, raccoon, skunk, opossum, spotted skunk or  
17 civet cat, weasel, coyote, bobcat, ~~wolf~~, groundhog, red fox,  
18 and gray fox. **This chapter** does not apply to domesticated  
19 fur-bearing animals.

20 Sec. 3. NEW SECTION. **481A.41 Taking black bears, gray**  
21 **wolves, and mountain lions prohibited — exceptions.**

22 1. Unless otherwise provided by law, a person shall not take  
23 a black bear, gray wolf, or mountain lion.

24 2. Unless such take is otherwise prohibited by federal law,  
25 this section does not apply to any of the following:

26 a. The take of a black bear, gray wolf, or mountain lion  
27 if taking such animal is immediately necessary to protect a  
28 person or companion animal from bodily harm. A person shall  
29 notify the department within twenty-four hours after taking  
30 the animal under this paragraph. No black bear, gray wolf, or  
31 mountain lion, or any part of the animal, taken pursuant to  
32 this paragraph may be retained, sold, or removed from the site  
33 without prior authorization from the department.

34 b. The take of a black bear, gray wolf, or mountain lion by  
35 a law enforcement officer or licensed veterinarian acting in

1 the course and scope of official duties.

2 c. The take of a black bear, gray wolf, or mountain lion by  
3 a landowner or lessee who is a livestock owner if such take is  
4 immediately necessary to protect livestock from a black bear,  
5 gray wolf, or mountain lion, and in order to protect against  
6 further loss of livestock, subject to the following conditions:

7 (1) The take is not otherwise prohibited by state law.

8 (2) The livestock owner submits a written request to the  
9 department that includes a detailed description of the attack  
10 or attacks, including documented evidence of the species  
11 involved, the precise location of all attacks, the dates on  
12 which each attack occurred, evidence that attacks are ongoing,  
13 and pictures of the scene and of injured or killed livestock  
14 from all attacks.

15 (3) The department finds, based on the written request, that  
16 the livestock attacks have most likely been caused by a black  
17 bear, gray wolf, or mountain lion.

18 (4) Dogs, traps, and snares are not used during the take of  
19 any black bear, gray wolf, or mountain lion pursuant to this  
20 paragraph.

21 (5) The livestock owner files a written report within five  
22 days after the take under this paragraph.

23 (6) No portion of a black bear, gray wolf, or mountain lion  
24 taken under this paragraph shall be retained, sold, or removed  
25 from the site without authorization from the department.

26 (7) No black bear, gray wolf, or mountain lion taken under  
27 this paragraph shall be held in captivity unless for purposes  
28 of relocation by the department or rehabilitation by a licensed  
29 wildlife rehabilitator.

30 d. The take of a black bear, gray wolf, or mountain lion  
31 pursuant to a permit or license issued by the department under  
32 section 481A.65 provided, however, that such take is not for  
33 the purpose of killing the animal and provided that possession  
34 or transport of the animal is not otherwise prohibited by  
35 chapter 717F.

1 e. The take of a black bear, gray wolf, or mountain lion if  
2 such take is expressly authorized by federal law.

3 3. A person who violates this section is guilty of an  
4 aggravated misdemeanor.

5 4. A person who violates this section is subject to a civil  
6 penalty levied by the department of not more than two thousand  
7 dollars for each violation of this section. The moneys  
8 collected from imposition of a civil penalty shall be deposited  
9 in the state fish and game protection fund.

10 Sec. 4. Section 481A.130, subsection 1, paragraph a, Code  
11 2022, is amended to read as follows:

12 a. For each black bear, gray wolf, mountain lion, elk,  
13 antelope, buffalo, or moose, two thousand five hundred dollars.

14 EXPLANATION

15 The inclusion of this explanation does not constitute agreement with  
16 the explanation's substance by the members of the general assembly.

17 This bill relates to the taking of black bears, gray wolves,  
18 and mountain lions.

19 The bill removes wolves from the definition of "fur-bearing  
20 animals". The bill prohibits a person from taking a black  
21 bear, gray wolf, or mountain lion unless such take is otherwise  
22 authorized. The bill provides exceptions to the prohibition  
23 provided taking pursuant to an exception does not violate  
24 federal law. The bill provides additional requirements for a  
25 landowner or lessee who is a livestock owner who takes a black  
26 bear, gray wolf, or mountain lion when such take is immediately  
27 necessary to protect livestock.

28 A person who violates the bill commits an aggravated  
29 misdemeanor. An aggravated misdemeanor is punishable by  
30 confinement for no more than two years and a fine of at least  
31 \$855 but not more than \$8,540. The person is subject to a civil  
32 penalty of not more than \$2,000 for each violation with the  
33 moneys collected being deposited in the state fish and game  
34 protection fund. Additionally, the person shall reimburse  
35 the state for the value of the unlawfully taken animal in the

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1 amount of \$2,500. A black bear, gray wolf, or mountain lion  
2 taken in violation of the bill is subject to seizure by the  
3 director of the department of natural resources.