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

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

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

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

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

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

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

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

b. The take of a black bear, gray wolf, or mountain lion by a law enforcement officer or licensed veterinarian acting in...
the course and scope of official duties.

c. The take of a black bear, gray wolf, or mountain lion by
a landowner or lessee who is a livestock owner if such take is
immediately necessary to protect livestock from a black bear,
gray wolf, or mountain lion, and in order to protect against
further loss of livestock, subject to the following conditions:
(1) The take is not otherwise prohibited by state law.
(2) The livestock owner submits a written request to the
department that includes a detailed description of the attack
or attacks, including documented evidence of the species
involved, the precise location of all attacks, the dates on
which each attack occurred, evidence that attacks are ongoing,
and pictures of the scene and of injured or killed livestock
from all attacks.
(3) The department finds, based on the written request, that
the livestock attacks have most likely been caused by a black
bear, gray wolf, or mountain lion.
(4) Dogs, traps, and snares are not used during the take of
any black bear, gray wolf, or mountain lion pursuant to this
paragraph.
(5) The livestock owner files a written report within five
days after the take under this paragraph.
(6) No portion of a black bear, gray wolf, or mountain lion
taken under this paragraph shall be retained, sold, or removed
from the site without authorization from the department.
(7) No black bear, gray wolf, or mountain lion taken under
this paragraph shall be held in captivity unless for purposes
of relocation by the department or rehabilitation by a licensed
wildlife rehabilitator.
d. The take of a black bear, gray wolf, or mountain lion
pursuant to a permit or license issued by the department under
section 481A.65 provided, however, that such take is not for
the purpose of killing the animal and provided that possession
or transport of the animal is not otherwise prohibited by
chapter 717F.
1. The take of a black bear, gray wolf, or mountain lion if such take is expressly authorized by federal law.

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

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

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

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

EXPLANATION

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

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

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

A person who violates the bill commits an aggravated misdemeanor. An aggravated misdemeanor is punishable by confinement for no more than two years and a fine of at least $855 but not more than $8,540. The person is subject to a civil penalty of not more than $2,000 for each violation with the moneys collected being deposited in the state fish and game protection fund. Additionally, the person shall reimburse the state for the value of the unlawfully taken animal in the
amount of $2,500. A black bear, gray wolf, or mountain lion taken in violation of the bill is subject to seizure by the director of the department of natural resources.