

ASSEMBLY BILL NO. 142—ASSEMBLYMAN HANSEN

FEBRUARY 11, 2015

Referred to Committee on Natural Resources,  
Agriculture, and Mining

SUMMARY—Revises provisions governing the administration and enforcement of wildlife laws. (BDR 45-402)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Yes.

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

AN ACT relating to wildlife; making various changes relating to violations of provisions relating to wildlife; eliminating, under certain circumstances, the authority of the Board of Wildlife Commissioners and the Department of Wildlife to suspend or revoke a license, tag, permit, certificate or other document or privilege relating to wildlife; authorizing a court, under certain circumstances, to order the suspension or revocation of a license, tag, permit, certificate or other document or privilege relating to wildlife; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law requires the Board of Wildlife Commissioners to establish a  
2 system of assessing demerit points for a person who is convicted of violating  
3 certain laws and regulations in this State relating to wildlife. (NRS 501.1812-  
4 501.1818) Pursuant to the system, a person accumulates demerit points if the  
5 person is convicted of violating certain provisions of law. If a person accumulates  
6 12 demerit points, the Department of Wildlife is required to suspend or revoke any  
7 license, permit or privilege that the Department has issued to the person. With  
8 limited exception, a license, permit or privilege may not be suspended for more  
9 than 3 years. (NRS 501.1816) In addition to the authority of the Department to  
10 suspend or revoke a license pursuant to the demerit system, existing law authorizes  
11 a court to require the surrender of a license issued by the Department to a person if  
12 the person is found guilty of violating any provision of title 45 of NRS. (NRS  
13 501.387) **Section 1.5** of this bill eliminates the authority of the Commission to  
14 establish a schedule of demerit points, and instead requires that the Department  
15 assess demerit points pursuant to the schedule of demerit points set forth in **section**  
16 **1.1** of this bill. **Section 5** of this bill provides that, except as otherwise provided by



17 specific statute, a court may not suspend or revoke a license for a period of more  
18 than 3 years.

19 Existing law authorizes, under certain circumstances, the Commission or the  
20 Department to revoke or suspend a license, tag, permit, certificate or other  
21 document or privilege issued to a person by the Department. (NRS 501.3855,  
22 501.3865, 501.388, 502.370, 503.185, 503.310, 504.380, 504.390, 504.395)  
23 **Sections 2-4 and 6-12** of this bill eliminate the revocation and suspension authority  
24 of the Commission and the Department under those circumstances and instead grant  
25 that authority to a court of competent jurisdiction. **Section 2** also revises the penalty  
26 for the unlawful killing or possession of a mountain lion. (NRS 501.376)

27 **Section 1.9** of this bill retains the authority of the Department under existing  
28 law to suspend or revoke a license, permit or privilege pursuant to the demerit  
29 system.

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

1 **Section 1.** (Deleted by amendment.)

2 **Sec. 1.1.** Chapter 501 of NRS is hereby amended by adding  
3 thereto a new section to read as follows:

4 *1. The Department shall only assess demerit points as*  
5 *provided in NRS 501.1814 pursuant to the following schedule:*

6  
7 **HUNTING AND TAKING**

	<i>NRS</i>	
<i>Classification of Violations</i>	<i>Section</i>	<i>Demerits</i>
<i>Unlawfully shooting at a game mammal or game bird from an aircraft, helicopter or motor-driven vehicle or using such a vehicle to molest, rally, stir up or drive game mammals or game birds .....</i>	<i>503.010</i>	<i>6</i>
<i>Spotting or locating game mammals or game birds from an aircraft or helicopter and communicating that information to a person on the ground for the purpose of hunting.....</i>	<i>503.010</i>	<i>3</i>
<i>Unlawfully using information obtained in violation of subsection 3 of NRS 503.010 to hunt or kill game mammals or game birds.....</i>	<i>503.010</i>	<i>3</i>



	<i>NRS</i>	
	<i>Section</i>	<i>Demerits</i>
1		
2	<i>Classification of Violations</i>	
3		
4	<i>Unlawfully using a helicopter to</i>	
5	<i>transport game, hunters or</i>	
6	<i>hunting equipment.....</i>	<i>503.010</i>
7		<i>3</i>
8	<i>Unlawfully killing or attempting to</i>	
9	<i>kill birds or animals from an</i>	
10	<i>aircraft.....</i>	<i>503.005</i>
11		<i>6</i>
12	<i>Unlawfully using an aircraft,</i>	
13	<i>balloon or satellite to locate or</i>	
14	<i>observe big game for the purpose</i>	
15	<i>of hunting.....</i>	<i>501.385</i>
16		<i>6</i>
17	<i>Hunting or taking an endangered</i>	
18	<i>species without a special permit.....</i>	<i>503.585</i>
19		<i>12</i>
20	<i>Unlawfully killing, destroying,</i>	
21	<i>wounding, trapping or injuring</i>	
22	<i>bald eagles or golden eagles.....</i>	<i>503.610</i>
23		<i>12</i>
24	<i>Unlawfully taking bald eagles or</i>	
25	<i>golden eagles.....</i>	<i>503.620</i>
26		<i>12</i>
27	<i>Taking twice the legal limit or more</i>	
28	<i>of big game mammals.....</i>	<i>501.385</i>
29		<i>12</i>
30	<i>Hunting or taking a threatened</i>	
31	<i>species.....</i>	<i>501.385</i>
32		<i>9</i>
33	<i>Unlawfully killing a fur-bearing</i>	
34	<i>mammal during the closed</i>	
35	<i>season.....</i>	<i>503.440</i>
36		<i>9</i>
37	<i>Unlawfully hunting migratory</i>	
38	<i>waterfowl by aid of baiting.....</i>	<i>501.385</i>
39		<i>3</i>
40	<i>Hunting big game mammals during</i>	
41	<i>the closed season.....</i>	<i>503.090</i>
42		<i>6</i>
43	<i>Hunting fur-bearing mammals</i>	
44	<i>during the closed season.....</i>	<i>501.015</i>
		<i>6</i>
	<i>Hunting big game mammals in</i>	
	<i>closed areas.....</i>	<i>501.385</i>
		<i>6</i>
	<i>Hunting fur-bearing mammals in</i>	
	<i>closed areas.....</i>	<i>501.385</i>
		<i>6</i>
	<i>Unlawfully hunting in a privately</i>	
	<i>owned wildlife management area ....</i>	<i>504.140</i>
		<i>6</i>
	<i>Unlawfully hunting in a state-</i>	
	<i>owned wildlife management area ....</i>	<i>504.143</i>
		<i>6</i>
	<i>Hunting big game mammals or</i>	
	<i>migratory waterfowl during</i>	
	<i>prohibited hours.....</i>	<i>503.140</i>
		<i>6</i>



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	<i>NRS</i>	
<i>Classification of Violations</i>	<i>Section</i>	<i>Demerits</i>
<i>Unlawfully hunting game birds or game mammals with the aid of artificial light.....</i>	<i>503.150</i>	<i>6</i>
<i>Hunting or taking a sensitive species.....</i>	<i>501.385</i>	<i>6</i>
<i>Hunting, trapping, possessing or selling birds of prey or raptors without a permit.....</i>	<i>503.582</i>	<i>6</i>
<i>Hunting alternative livestock.....</i>	<i>503.242</i>	<i>6</i>
<i>Taking a game mammal of a prohibited age or with prohibited physical characteristics.....</i>	<i>501.385</i>	<i>6</i>

**UNLAWFUL POSSESSION**

	<i>NRS</i>	
<i>Classification of Violations</i>	<i>Section</i>	<i>Demerits</i>
<i>Unlawfully possessing live wildlife that is classified as prohibited.....</i>	<i>504.295</i>	<i>12</i>
<i>Unlawfully possessing big game mammals during the closed season.....</i>	<i>503.030</i>	<i>9</i>
<i>Possessing a big game mammal or parts thereof without a tag attached thereto.....</i>	<i>502.150</i>	<i>9</i>
<i>Possessing twice the legal limit or more of game birds or game mammals, other than big game.....</i>	<i>501.385</i>	<i>9</i>
<i>Possessing twice the legal limit or more of game fish.....</i>	<i>501.385</i>	<i>9</i>
<i>Unlawfully possessing a fur-bearing mammal during the closed season.....</i>	<i>503.030</i>	<i>6</i>
<i>Possessing game birds or game mammals, other than big game, during the closed season.....</i>	<i>503.030</i>	<i>6</i>
<i>Possessing fish during the closed season.....</i>	<i>503.030</i>	<i>6</i>



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	<i>NRS</i>	
<i>Classification of Violations</i>	<i>Section</i>	<i>Demerits</i>
<i>Possessing game birds or game mammals, other than big game, in excess of the legal limit but less than twice the legal limit.....</i>	<i>501.385</i>	<i>6</i>
<i>Possessing game fish in excess of the legal limit but less than twice the legal limit.....</i>	<i>501.385</i>	<i>6</i>
<i>Possessing a species that may not legally be possessed without a license or permit.....</i>	<i>501.385</i>	<i>6</i>

**TAGS AND SEALS**

	<i>NRS</i>	
<i>Classification of Violations</i>	<i>Section</i>	<i>Demerits</i>
<i>Hunting big game or wild turkey without a tag.....</i>	<i>502.130</i>	<i>9</i>
<i>Unlawfully transferring a tag to another person.....</i>	<i>502.140</i>	<i>9</i>
<i>Possessing or using a tag legally issued to another person.....</i>	<i>502.140</i>	<i>9</i>
<i>Obtaining tags in excess of the legal limit.....</i>	<i>502.140</i>	<i>9</i>
<i>Possessing used tags or tags in excess of the legal limit.....</i>	<i>502.150</i>	<i>9</i>
<i>Unlawfully using a tag.....</i>	<i>502.200</i>	<i>9</i>
<i>Using a tag in an improper area.....</i>	<i>502.160</i>	<i>6</i>
<i>Failing to punch a tag properly.....</i>	<i>502.160</i>	<i>6</i>
<i>Failing to attach a tag to a big game mammal in the manner prescribed by regulation of the Commission.....</i>	<i>502.160</i>	<i>3</i>
<i>Hunting by a Native American off a Native American reservation without a tag.....</i>	<i>502.280</i>	<i>6</i>
<i>Possessing fur-bearing mammals, other than a bobcat, without a seal.....</i>	<i>501.385</i>	<i>6</i>
<i>Possessing the pelt of a bobcat without a seal.....</i>	<i>501.385</i>	<i>3</i>



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<i>Classification of Violations</i>	<i>NRS Section</i>	<i>Demerits</i>
<i>Possessing the hide of a mountain lion without a seal .....</i>	<i>501.385</i>	<i>6</i>
<i>Possessing the horns of a ram bighorn sheep without a seal or brand.....</i>	<i>501.385</i>	<i>6</i>

**PERMITS**

<i>Classification of Violations</i>	<i>NRS Section</i>	<i>Demerits</i>
<i>Unlawfully importing or transporting a prohibited species of wildlife without a permit or license .....</i>	<i>503.597</i>	<i>12</i>
<i>Collecting unprotected wildlife for commercial purposes without a permit.....</i>	<i>501.385</i>	<i>12</i>
<i>Collecting live bait fish or live aquatic bait for commercial purposes without a permit.....</i>	<i>501.385</i>	<i>12</i>
<i>Collecting unprotected fish for commercial purposes without a permit.....</i>	<i>501.385</i>	<i>12</i>
<i>Selling live bait without a permit .....</i>	<i>501.379</i>	<i>6</i>
<i>Conducting a field trial without a permit.....</i>	<i>503.200</i>	<i>6</i>
<i>Conducting a dredging operation without a permit.....</i>	<i>503.425</i>	<i>6</i>
<i>Possessing a raptor without a permit....</i>	<i>503.582</i>	<i>6</i>
<i>Furnishing false information to obtain a permit.....</i>	<i>502.060</i>	<i>6</i>

**FISHING**

<i>Classification of Violations</i>	<i>NRS Section</i>	<i>Demerits</i>
<i>Fishing at a fish hatchery or other waters used for the purpose of rearing or growing fish .....</i>	<i>503.360</i>	<i>6</i>



MISCELLANEOUS FISH AND GAME

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<i>Classification of Violations</i>	<i>NRS Section</i>	<i>Demerits</i>
<i>Obstructing, hindering or otherwise interfering with an officer, employee or agent of the Department.....</i>	<i>501.385</i>	<i>12</i>
<i>Unlawfully selling big game mammals.....</i>	<i>501.379</i>	<i>12</i>
<i>Unlawfully selling an endangered species.....</i>	<i>501.379</i>	<i>12</i>
<i>Needless waste of big game mammals.....</i>	<i>503.050</i>	<i>12</i>
<i>Needless waste of game birds or game mammals, other than big game.....</i>	<i>503.050</i>	<i>9</i>
<i>Unlawfully selling a threatened species.....</i>	<i>501.379</i>	<i>9</i>
<i>Unlawfully selling game other than big game mammals.....</i>	<i>501.379</i>	<i>6</i>
<i>Unlawfully selling a sensitive or protected species.....</i>	<i>501.379</i>	<i>6</i>
<i>Unlawfully selling game fish.....</i>	<i>501.381</i>	<i>6</i>
<i>Needless waste of game fish.....</i>	<i>503.050</i>	<i>6</i>
<i>Unlawfully carrying a loaded rifle or shotgun in a vehicle.....</i>	<i>503.165</i>	<i>6</i>
<i>Unlawfully discharging a firearm.....</i>	<i>503.175</i>	<i>6</i>
<i>Failing to retain the cape or scalp and any antlers or horns of wildlife.....</i>	<i>501.385</i>	<i>6</i>
<i>Destroying or mutilating signs of the Department.....</i>	<i>501.383</i>	<i>6</i>
<i>Polluting water.....</i>	<i>503.430</i>	<i>6</i>
<i>Removing, altering or tampering with a tag placed on wildlife or on seized equipment.....</i>	<i>501.377</i>	<i>6</i>
<i>Commercial taking of crayfish, except in accordance with a permit issued by the Department.....</i>	<i>501.385</i>	<i>6</i>
<i>Intentionally interfering with a person lawfully hunting or trapping.....</i>	<i>503.015</i>	<i>6</i>



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<i>Classification of Violations</i>	<i>NRS Section</i>	<i>Demerits</i>
<i>Hunting or trapping on private property without permission.....</i>	<i>503.240</i>	<i>6</i>
<i>Failing to make a reasonable effort to retrieve dead or crippled migratory waterfowl .....</i>	<i>501.385</i>	<i>3</i>

**CATEGORY E FELONIES AND GROSS MISDEMEANORS**

<i>Classification of Violations</i>	<i>NRS Section</i>	<i>Demerits</i>
<i>Conviction of a felony for intentionally killing a big game mammal, including aiding and abetting a person in the commission of the killing .....</i>	<i>501.376</i>	<i>12</i>
<i>Conviction of a gross misdemeanor for intentionally killing a big game mammal, including aiding and abetting a person in the commission of the killing .....</i>	<i>501.376</i>	<i>12</i>
<i>Conviction of a gross misdemeanor for willfully possessing an unlawfully killed big game mammal .....</i>	<i>501.376</i>	<i>12</i>
<i>Acting as a master guide or subguide without a license .....</i>	<i>504.395</i>	<i>12</i>
<i>Furnishing false information to obtain a big game tag .....</i>	<i>502.060</i>	<i>12</i>

**TRAPPING**

<i>Classification of Violations</i>	<i>NRS Section</i>	<i>Demerits</i>
<i>Unlawfully capturing a raptor with a steel leghold trap placed, set or maintained within 30 feet of exposed bait .....</i>	<i>501.385</i>	<i>3</i>
<i>Trapping in a closed area.....</i>	<i>501.385</i>	<i>3</i>



	<i>NRS</i>	
<i>Classification of Violations</i>	<i>Section</i>	<i>Demerits</i>
<i>Unlawfully removing or disturbing a trap lawfully being used by another person.....</i>	<i>503.454</i>	<i>3</i>
<i>Trapping fur-bearing mammals during the closed season .....</i>	<i>503.440</i>	<i>6</i>
<i>Trapping birds of prey or raptors without a permit or by unlawful means.....</i>	<i>503.582</i>	<i>6</i>

**LICENSES**

	<i>NRS</i>	
<i>Classification of Violations</i>	<i>Section</i>	<i>Demerits</i>
<i>Refusing to exhibit a license, wildlife, weapon, ammunition, device or apparatus.....</i>	<i>502.120</i>	<i>12</i>
<i>Hunting without having procured a license .....</i>	<i>502.010</i>	<i>6</i>
<i>Fishing without having procured a license .....</i>	<i>502.010</i>	<i>6</i>
<i>Hunting without a license in possession .....</i>	<i>502.120</i>	<i>6</i>
<i>Fishing without a license in possession .....</i>	<i>502.120</i>	<i>6</i>
<i>Furnishing false information to obtain a license.....</i>	<i>502.060</i>	<i>6</i>
<i>Furnishing of false information by a person serving in the Armed Forces of the United States to obtain a license.....</i>	<i>502.290</i>	<i>6</i>
<i>Unlawfully transferring a license to another person.....</i>	<i>502.100</i>	<i>6</i>
<i>Unlawfully using a license of another person.....</i>	<i>502.100</i>	<i>6</i>
<i>Obtaining more than one license of each class.....</i>	<i>502.110</i>	<i>6</i>
<i>Altering a license.....</i>	<i>502.105</i>	<i>6</i>
<i>Practicing falconry without a license .....</i>	<i>503.583</i>	<i>6</i>
<i>Operating as a fur dealer without a license .....</i>	<i>505.010</i>	<i>6</i>



	<i>NRS</i>	
	<i>Section</i>	<i>Demerits</i>
1		
2	<i>Classification of Violations</i>	
3		
4	<i>Trapping without having procured a</i>	
5	<i>license .....502.010</i>	<i>6</i>
6	<i>Taking fur-bearing mammals,</i>	
7	<i>trapping unprotected mammals</i>	
8	<i>or selling raw furs for profit</i>	
9	<i>without having procured a</i>	
10	<i>license .....503.454</i>	<i>6</i>
11	<i>Trapping without a license in</i>	
12	<i>possession .....502.120</i>	<i>6</i>
13	<i>Hunting, fishing or trapping using a</i>	
14	<i>license that is invalid by reason</i>	
15	<i>of expiration or a false statement</i>	
16	<i>made to obtain the license.....502.060</i>	<i>3</i>
17	<i>Operating a shooting preserve</i>	
18	<i>without a license.....504.310</i>	<i>6</i>
19	<i>Performing taxidermal services</i>	
20	<i>without a license.....502.370</i>	<i>6</i>
21	<i>Obtaining a hunting license without</i>	
22	<i>obtaining certification as a</i>	
23	<i>responsible hunter.....502.360</i>	<i>6</i>
24		

25       2. *If a person is convicted of committing a wildlife violation*  
 26 *that does not appear in the schedule set forth in subsection 1, the*  
 27 *Department shall assess not more than 3 demerit points.*

28       3. *If a person is convicted of committing any four wildlife*  
 29 *violations arising out of separate events within a 60-month period,*  
 30 *the Department shall not assess more than an extra 12 demerit*  
 31 *points.*

32       **Sec. 1.3.** NRS 501.1812 is hereby amended to read as follows:  
 33       501.1812 As used in NRS 501.1812 to 501.1818, inclusive,  
 34 *and section 1.1 of this act,* unless the context otherwise requires:

35       1. "License" means a license or tag issued by the Department  
 36 for:

- 37       (a) Recreational hunting or fishing; or
- 38       (b) Taking fur-bearing mammals, trapping unprotected  
 39 mammals or selling raw furs for profit.

40       2. "Permit" means a permit issued by the Department for  
 41 recreational hunting or fishing.

42       3. "Wildlife conviction" means a conviction obtained in any  
 43 court of competent jurisdiction in this State, including, without  
 44 limitation, a conviction obtained upon a plea of nolo contendere or



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1 upon a forfeiture of bail not vacated in any such court, for a  
2 violation of:

3 (a) A provision of this title or any regulation adopted pursuant to  
4 this title other than a provision of NRS 502.370, 502.390, 503.185,  
5 503.310 or 504.295 to 504.398, inclusive; or

6 (b) A provision of the Lacey Act Amendments of 1981, 16  
7 U.S.C. §§ 3371 et seq., if the violation of that provision is based on  
8 a violation of a law or regulation of this State.

9 **Sec. 1.5.** NRS 501.1814 is hereby amended to read as follows:

10 501.1814 1. The Commission shall establish and the  
11 Department shall administer and enforce a system of assessing  
12 demerit points *pursuant to section 1.1 of this act* for wildlife  
13 convictions. The system must be uniform in its operation.

14 2. Pursuant to the schedule of demerit points ~~established by~~  
15 ~~regulation of the Commission~~ *set forth in section 1.1 of this act* for  
16 each wildlife conviction occurring within this State affecting any  
17 holder of a license, permit or privilege issued pursuant to this title,  
18 the Department shall assess demerit points for the 60-month period  
19 preceding a person's most recent wildlife conviction. Sixty months  
20 after the date of the conviction, the demerit points for that  
21 conviction must be deleted from the total demerit points  
22 accumulated by that person. The date of the conviction shall be  
23 deemed the date on which accumulated demerit points must be  
24 assessed. If a conviction of two or more wildlife violations  
25 committed at a single event is obtained, demerit points must be  
26 assessed for the offense having the greater number of demerit  
27 points.

28 **Sec. 1.9.** NRS 501.1816 is hereby amended to read as follows:

29 501.1816 1. *If a person who has accumulated 4 or more*  
30 *demerit points presents proof to the Department that he or she has*  
31 *successfully completed a course of instruction in the*  
32 *responsibilities of hunters approved by the Department, the*  
33 *Department shall deduct 4 demerit points from the person's*  
34 *record.*

35 2. If a person accumulates 9 or more demerit points, but less  
36 than 12, the Department shall notify the person of that fact by  
37 certified mail. If, after the Department mails the notice, the person  
38 presents proof to the Department that he or she has, after his or her  
39 most recent wildlife conviction, successfully completed a course of  
40 instruction in the responsibilities of hunters approved by the  
41 Department, the Department shall deduct 4 demerit points from the  
42 person's record.

43 3. A person may attend a course of instruction in the  
44 responsibilities of hunters only once in 60 months for the purpose of  
45 reducing his or her demerit points.



1 ~~4.2.~~ 4. If a person accumulates 12 or more demerit points  
2 before completing a course of instruction pursuant to subsection 1  
3 ~~4.1~~ or 2, the Department shall suspend or revoke any license, permit  
4 or privilege issued to the person pursuant to this title.

5 ~~4.3.~~ 5. Not later than 60 days after the Department determines  
6 that a person has accumulated 12 demerit points, the Department  
7 shall notify the person by certified mail that the person's privileges  
8 will be suspended or revoked. Except as otherwise provided in  
9 subsection ~~4.4.~~ 6, the Department shall suspend or revoke those  
10 privileges 30 days after it mails the notice.

11 ~~4.4.~~ 6. Any person who receives the notice required by  
12 subsection ~~4.3.~~ 5 may submit to the Department a written request for  
13 a hearing before the Commission not later than 30 days after the  
14 receipt of the notice. If a written request for a hearing is received by  
15 the Department:

16 (a) The suspension or revocation of the license, permit or  
17 privilege is stayed until a determination is made by the Commission  
18 after the hearing.

19 (b) The hearing must be held within 60 days after the request is  
20 received.

21 ~~4.5.~~ 7. The periods of suspension or revocation imposed  
22 pursuant to this section must run concurrently. Except as otherwise  
23 provided in this subsection, no license, permit or privilege may be  
24 suspended or revoked pursuant to this section for more than 3 years.  
25 ~~The license, permit or privilege of a person who is convicted~~  
26 ~~pursuant to NRS 501.376 of:~~

27 ~~—(a) A gross misdemeanor may not be suspended or revoked for~~  
28 ~~more than 5 years;~~

29 ~~—(b) Except as otherwise provided in paragraph (c), a felony may~~  
30 ~~not be suspended or revoked for more than 10 years; or~~

31 ~~—(c) Two or more felonies, arising from separate events, must be~~  
32 ~~permanently revoked.~~

33 ~~6.1~~ 8. If the Department suspends or revokes a license, permit  
34 or privilege pursuant to this section, the period of suspension or  
35 revocation begins 30 days after notification pursuant to subsection  
36 ~~4.3.~~ 5 or a determination is made by the Commission pursuant to  
37 subsection ~~4.4.~~ 6. After a person's license, permit or privilege is  
38 suspended or revoked pursuant to this section, all demerit points  
39 accumulated by that person must be cancelled.

40 **Sec. 1.95.** NRS 501.1818 is hereby amended to read as  
41 follows:

42 501.1818 The Commission may adopt such regulations as are  
43 necessary to carry out the provisions of NRS 501.1812 to 501.1818,  
44 inclusive ~~4.1~~, and *section 1.1 of this act.*



1       **Sec. 2.** NRS 501.376 is hereby amended to read as follows:

2       501.376 1. Except as otherwise provided in this section, a  
3 person shall not intentionally kill or aid and abet another person to  
4 kill a bighorn sheep, mountain goat, elk, deer, pronghorn antelope,  
5 mountain lion or black bear:

6       (a) Outside of the prescribed season set by the Commission for  
7 the lawful hunting of that animal;

8       (b) Through the use of an aircraft or helicopter in violation of  
9 NRS 503.010;

10       (c) By a method other than the method prescribed on the tag  
11 issued by the Department for hunting that animal;

12       (d) Knowingly during a time other than:

13           (1) The time of day set by the Commission for hunting that  
14 animal pursuant to NRS 503.140; or

15           (2) If the Commission has not set such a time, between  
16 sunrise and sunset as determined pursuant to that section; or

17       (e) Without a valid tag issued by the Department for hunting  
18 that animal. A tag issued for hunting any animal specified in this  
19 subsection is not valid if knowingly used by a person:

20           (1) Other than the person specified on the tag;

21           (2) Outside of the management area or other area specified  
22 on the tag; or

23           (3) If the tag was obtained by a false or fraudulent  
24 representation.

25       2. The provisions of subsection 1 do not prohibit the killing of  
26 an animal specified in subsection 1 if:

27       (a) The killing of the animal is necessary to protect the life or  
28 property of any person in imminent danger of being attacked by the  
29 animal; or

30       (b) The animal killed was not the intended target of the person  
31 who killed the animal and the killing of the animal which was the  
32 intended target would not violate the provisions of subsection 1.

33       3. ~~1A~~ *Except as otherwise provided in subsection 4, a* person  
34 who violates the provisions of subsection 1 shall be punished for a  
35 category E felony as provided in NRS 193.130 or, if the court  
36 reduces the penalty pursuant to this subsection, for a gross  
37 misdemeanor. In determining whether to reduce the penalty, the  
38 court shall consider:

39       (a) The nature of the offense;

40       (b) The circumstances surrounding the offense;

41       (c) The defendant's understanding and appreciation of the  
42 gravity of the offense;

43       (d) The attitude of the defendant towards the offense; and

44       (e) The general objectives of sentencing.



1 4. *A person who kills or aids and abets another person to kill*  
2 *a mountain lion in violation of the provisions of subsection 1 is*  
3 *guilty of a misdemeanor.*

4 5. A person shall not willfully possess any animal specified in  
5 subsection 1 if the person knows the animal was killed in violation  
6 of subsection 1 or the circumstances should have caused a  
7 reasonable person to know that the animal was killed in violation of  
8 subsection 1.

9 ~~5.1~~ 6. A person who violates the provisions of subsection ~~4~~ 5  
10 is guilty of ~~4~~:

11 (a) *A misdemeanor if the willful possession is of a mountain*  
12 *lion; and*

13 (b) *A gross misdemeanor ~~H~~ if the willful possession is of any*  
14 *animal specified in subsection 1 other than a mountain lion.*

15 7. *In addition to any other penalty, if a person is convicted*  
16 *pursuant to this section of:*

17 (a) *A gross misdemeanor, the court may order the suspension*  
18 *or revocation of any license, tag, permit, certificate or other*  
19 *document or privilege issued to the person pursuant to this title for*  
20 *a period of not more than 5 years.*

21 (b) *A felony, the court may order the suspension or revocation*  
22 *of any license, tag, permit, certificate or other document or*  
23 *privilege issued to the person pursuant to this title for a period of*  
24 *not more than 10 years.*

25 (c) *Two or more felonies arising from separate events, the*  
26 *court shall order the permanent revocation of all licenses, tags,*  
27 *permits, certificates or other documents or privileges issued to the*  
28 *person pursuant to this title.*

29 **Sec. 3.** NRS 501.3855 is hereby amended to read as follows:

30 501.3855 1. In addition to the penalties provided for the  
31 violation of any of the provisions of this title, every person who:

32 (a) Unlawfully kills or possesses a trophy big game mammal is  
33 liable for a civil penalty of not less than \$5,000 nor more than  
34 \$30,000; or

35 (b) Except as otherwise provided in paragraph (a), unlawfully  
36 kills or possesses a big game mammal, moose, bobcat, swan or  
37 eagle is liable for a civil penalty of not less than \$250 but less than  
38 \$5,000.

39 2. For the unlawful killing or possession of fish or wildlife not  
40 included in subsection 1, a person is liable for a civil penalty of not  
41 less than \$25 nor more than \$1,000.

42 3. For hunting, fishing or trapping without a valid license, tag  
43 or permit, a person is liable for a civil penalty of not less than \$50  
44 nor more than the amount of the fee for the license, tag or permit  
45 required for the activity in which the person engaged.



1 4. Every court, before whom a defendant is convicted of  
2 unlawfully killing or possessing any wildlife, shall order the  
3 defendant to pay the civil penalty in the amount stated in this section  
4 for each mammal, bird or fish unlawfully killed or possessed. The  
5 court shall fix the manner and time of payment.

6 5. The Department may attempt to collect all penalties and  
7 installments that are in default in any manner provided by law for  
8 the enforcement of a judgment.

9 6. If a person who is ordered to pay a civil penalty pursuant to  
10 this section fails to do so within 90 days after the date set forth in  
11 the order, the *court may order the* Department ~~may~~ to suspend ~~it~~  
12 or revoke ~~it, or refuse~~ and not to issue or renew any license, tag,  
13 permit, certificate or other document or privilege otherwise  
14 available to the person pursuant to this title or chapter 488 of NRS.

15 7. Each court that receives money pursuant to the provisions of  
16 this section shall forthwith remit the money to the Department  
17 which shall deposit the money with the State Treasurer for credit to  
18 the Wildlife Fund Account in the State General Fund.

19 8. As used in this section, "trophy big game mammal" means a  
20 mule deer with an outside antler measurement of at least 24 inches,  
21 a bighorn sheep of any species with at least one horn exceeding a  
22 half curl, a Rocky Mountain elk with at least six antler points on one  
23 antler, a pronghorn antelope with at least one horn which is more  
24 than 14 inches in length, a mountain goat or a black bear. As used in  
25 this subsection:

26 (a) "Antler" means any bony growth originating from the  
27 pedicle portion of the skull of a big game mammal that is annually  
28 cast and regenerated as part of the annual life cycle of the big game  
29 mammal.

30 (b) "Antler point" means a projection which is at least 1 inch in  
31 length with the length exceeding the width of its base, excluding the  
32 first point on the main beam commonly known as the eye guard on  
33 mule deer.

34 (c) "Horn exceeding a half curl" means a horn tip that has grown  
35 at least through 180 degrees of a circle determined by establishing a  
36 parallel reference line from the base of the horn and measuring the  
37 horn tip to determine whether the horn tip has grown at least to the  
38 projection of the reference line.

39 (d) "Outside antler measurement" means the perpendicular  
40 measurement at right angles to the center line of the skull of a deer  
41 at the widest point between the main antler beams or the antler  
42 points off the main antler beams.

43 **Sec. 4.** NRS 501.3865 is hereby amended to read as follows:

44 501.3865 1. If a person who holds:



1 (a) A license, tag or permit issued by the Department to engage  
2 in any activity authorized or regulated by this title or by a regulation  
3 adopted pursuant thereto; or

4 (b) A certificate of number issued by the Department,  
5 ↪ violates a written promise to appear pursuant to a citation that  
6 was prepared manually or electronically for a violation of a  
7 provision of this title, chapter 488 of NRS or any regulation adopted  
8 pursuant thereto, the clerk of the court shall immediately notify the  
9 Department on a form approved by the Department.

10 2. Upon receipt of notice from a court in this State of a failure  
11 to appear, the Department shall notify the person by certified mail  
12 that the person's license, tag, permit or certificate of number is  
13 subject to suspension *by order of the court* and allow the person 30  
14 days after the date of mailing the notice to:

15 (a) Appear in court and obtain a dismissal of the citation or  
16 complaint as provided by law; *or*

17 (b) Appear in court and, if permitted by the court, make an  
18 arrangement acceptable to the court to satisfy a judgment of  
19 conviction. ~~}; or~~

20 ~~—(c) Make a written request to the Department for a hearing.}~~

21 3. If ~~{notified by a court within 30 days after the notice of a~~  
22 ~~failure to appear that a person has been allowed to make}~~, *within*  
23 *the time provided by subsection 2, the person:*

24 (a) *Fails to appear in court;*

25 (b) *Appears in court but is unable to obtain a dismissal of the*  
26 *citation or complaint as provided by law and does not immediately*  
27 *satisfy a judgment of conviction; or*

28 (c) *Appears in court and makes* an arrangement for the  
29 satisfaction of a judgment of conviction ~~}; the Department shall~~  
30 ~~remove the suspension from the record of the person. If the person}~~  
31 *but* subsequently defaults on his or her arrangement with the court,  
32 ↪ the court shall ~~{notify the Department which shall immediately~~  
33 ~~suspend}~~ *order the suspension of* the *person's* license, tag, permit  
34 or certificate of number until the ~~{court notifies the Department that~~  
35 ~~the suspension may be removed.~~

36 ~~—4. The Department shall suspend the license, tag, permit or~~  
37 ~~certificate of number of a person 31 days after the Department mails~~  
38 ~~the person the notice provided for in subsection 2, unless within that~~  
39 ~~period the Department receives a written request for a hearing from~~  
40 ~~the person or notice from the court on a form approved by the~~  
41 ~~Department that the person has appeared or the citation or complaint~~  
42 ~~has been dismissed. A license, tag, permit or certificate of number~~  
43 ~~so suspended remains suspended until further notice is received~~  
44 ~~from the court that the person has appeared or that the case has~~  
45 ~~been}~~ *person satisfies a judgment of conviction or the case is*



1 otherwise disposed of as provided by law. *If a judgment of*  
2 *conviction is satisfied or the case is otherwise disposed of, the*  
3 *clerk of the court shall so notify the Department on a form*  
4 *approved by the Department and the Department shall reinstate*  
5 *the license, tag, permit or certificate of number.*

6 **Sec. 5.** NRS 501.387 is hereby amended to read as follows:

7 501.387 1. Except as otherwise provided by specific statute,  
8 upon a conviction of a violation of any provision of this title, or any  
9 regulation adopted pursuant to this title, in addition to the penalty  
10 provided for the violation, the court may ~~require~~ :

11 (a) *Order that any license issued under the provisions of this*  
12 *title and held by the convicted person be suspended or revoked for*  
13 *a period of not more than 3 years; and*

14 (b) *Require* the immediate surrender of all licenses issued under  
15 the provisions of this title and held by the convicted person. Upon  
16 receipt of a surrendered license, the court shall forward it to the  
17 Commission.

18 2. In addition to the penalty provided for the violation of any of  
19 the provisions of this title, the court may cause to be confiscated all  
20 wildlife taken or possessed by the convicted person. All confiscated  
21 wildlife must be disposed of as directed by the court.

22 3. A convicted person shall not, during the time the person's  
23 license is revoked or suspended:

24 (a) Engage in any activity for which the license was issued; or

25 (b) Purchase or otherwise obtain a license which has been  
26 suspended or revoked.

27 4. Any person who is convicted of violating the provisions of  
28 subsection 3 shall be punished by a fine of not more than \$1,000 or  
29 by imprisonment in a county jail for a period not to exceed 6  
30 months, or by both a fine and imprisonment. In addition, the *court*  
31 *may order that the* revocation or suspension of the license of the  
32 convicted person ~~may~~ be extended by an amount of time equal to  
33 the original period of revocation or suspension.

34 **Sec. 6.** NRS 501.388 is hereby amended to read as follows:

35 501.388 1. ~~The Commission~~ *A court of competent*  
36 *jurisdiction* may, in addition to any suspension, revocation or other  
37 penalty imposed pursuant to any other provision of this title:

38 (a) ~~Revoke~~ *Order the revocation of* any license of any person  
39 who is convicted of a violation of NRS 503.050, and ~~may refuse to~~  
40 *order that the Department not* issue any new license to the  
41 convicted person for any period not to exceed 5 years after the date  
42 of the conviction; and

43 (b) ~~Revoke~~ *Order the revocation of* any license of any person  
44 who is convicted of unlawfully killing or possessing a bighorn



1 sheep, mountain goat, elk, deer, pronghorn antelope ~~+, mountain~~  
2 ~~lion~~ or black bear in violation of NRS 501.376, and may:

3 (1) ~~Refuse to~~ **Order that the Department not** issue any new  
4 license to the convicted person for any period not to exceed 3 years;  
5 and

6 (2) Revoke that person's privilege to apply for any big game  
7 tag for a period not to exceed 10 years.

8 2. The court in which the conviction is had shall require the  
9 immediate surrender of all such licenses and shall forward them to  
10 the Commission.

11 **Sec. 7.** NRS 502.370 is hereby amended to read as follows:

12 502.370 1. A license to practice taxidermy is required before  
13 any person may perform taxidermal services for others on any  
14 wildlife or their parts, nests or eggs.

15 2. Annual licenses must be issued by the Department to  
16 applicants who satisfy the requirements established by the  
17 Department and pay a fee of:

18	
19	Fee to practice commercial taxidermy ..... \$44
20	Fee to practice noncommercial taxidermy ..... 20
21	

22 3. Any person who wishes to obtain a license to practice  
23 taxidermy must apply for the license on an application form  
24 provided by the Department. The applicant must provide such  
25 information on the form as the Commission may require by  
26 regulation.

27 4. The Commission may adopt regulations governing the  
28 licensing of taxidermists and the practice of taxidermy, including:

29 (a) The receipt, possession, transportation, identification,  
30 purchase and sale of wildlife or parts thereof to be or which have  
31 been processed by a taxidermist;

32 (b) The maintenance and submission of written records; and

33 (c) Any other matter concerning the practice, conduct and  
34 operating procedures of taxidermists as the Commission may deem  
35 necessary.

36 5. A person who is authorized to enforce the provisions of this  
37 title may enter the facilities of a licensee at any reasonable hour and  
38 inspect the licensee's operations and records.

39 6. If a licensee is convicted of a violation of any provision of  
40 this title or the regulations adopted by the Commission, ~~the~~  
41 ~~Commission~~ **a court of competent jurisdiction** may ~~revoke~~ **order**  
42 **the revocation of** his or her license and ~~may refuse to~~ **order the**  
43 **Department not to** issue another license to him or her for a period  
44 not to exceed 5 years.



1 7. The provisions of this section do not apply to institutions of  
2 learning of this State or of the United States, or to research activities  
3 conducted exclusively for scientific purposes, or for the  
4 advancement of agriculture, biology or any of the sciences.

5 **Sec. 8.** NRS 503.185 is hereby amended to read as follows:

6 503.185 1. Every person involved in a hunting accident  
7 where damage to property results, or which involves the injury of or  
8 death to another person, shall file a report of the accident with the  
9 Department within 30 days after the accident. The report must be on  
10 the form prescribed by the Department.

11 2. ~~{The Department}~~ *A court of competent jurisdiction* shall  
12 ~~{revoke}~~ *order the revocation of* any hunting license held by a  
13 person convicted of violating NRS 503.165 or 503.175, if the  
14 violation results in an injury to or the death of another person. The  
15 Department shall not issue another such license to the person sooner  
16 than 2 years after the revocation.

17 **Sec. 9.** NRS 503.310 is hereby amended to read as follows:

18 503.310 1. The Commission may regulate or prohibit the use  
19 of live bait in fishing so that no undesirable species are introduced  
20 into the public waters of this State.

21 2. Any person engaged in the sale of live bait must first obtain  
22 a permit from the Department for the fee provided in NRS 502.240.  
23 ~~{The permit may be revoked}~~ *A court of competent jurisdiction*  
24 *may order the revocation of the permit* for any violation of  
25 regulations.

26 3. The Commission may prescribe the species which may be  
27 held or sold by the permittee.

28 **Sec. 10.** NRS 504.380 is hereby amended to read as follows:

29 504.380 The violation of any of the provisions of NRS 504.300  
30 to 504.370, inclusive, or the rules and regulations prescribed by the  
31 Commission is punishable in accordance with the provisions of  
32 NRS 501.385, and in addition thereto any license issued under the  
33 provisions of NRS 504.300 to 504.370, inclusive, may be revoked  
34 by ~~{the Commission or by}~~ *order of* a court of competent  
35 jurisdiction for the balance of the license term, and no new license  
36 may be issued during the same license year.

37 **Sec. 11.** NRS 504.390 is hereby amended to read as follows:

38 504.390 1. As used in this section, unless the context  
39 otherwise requires:

40 (a) "Compensation" means any remuneration given in exchange  
41 for providing guide service which is predicated on a business  
42 relationship between the parties. The term does not include any  
43 reimbursement for shared trip expenses, including, without  
44 limitation, expenses for gasoline, food or any other costs that are



1 generally associated with persons who are engaging in recreational  
2 hunting or fishing together.

3 (b) "Guide" means to assist another person for compensation in  
4 hunting wild mammals or wild birds and fishing and includes the  
5 transporting of another person or the person's equipment to hunting  
6 and fishing locations within a general hunting and fishing area  
7 whether or not the guide determines the destination or course of  
8 travel.

9 2. Each person who provides guide service for compensation or  
10 provides guide service as an incidental service to customers of any  
11 commercial enterprise, whether a direct fee is charged for the guide  
12 service or not, must obtain a master guide license from the  
13 Department. Such a license must not be issued to any person who  
14 has not reached 21 years of age.

15 3. Except as otherwise provided in this subsection, each person  
16 who assists a person who is required to have a master guide license  
17 and acts as a guide in the course of that activity must obtain a  
18 subguide license from the Department. Such a license must not be  
19 issued to any person who has not reached 18 years of age. The  
20 provisions of this subsection do not apply to a person who:

21 (a) Is employed by or assists a person who holds a master guide  
22 license solely for the purpose of cooking, cutting wood, caring for,  
23 grooming or saddling livestock, or transporting a person by motor  
24 vehicle to or from a public facility for transportation, including,  
25 without limitation, a public airport.

26 (b) Holds a master guide license which authorizes the person to  
27 provide services for the same species and in the same areas as the  
28 guide who employs him or her or requests the person's assistance  
29 and has submitted to the Department a notarized statement which  
30 indicates that the person is employed by or provides assistance to  
31 the guide. The statement must be signed by both guides.

32 4. Fees for master guide and subguide licenses must be as  
33 provided in NRS 502.240.

34 5. Any person who desires a master guide license must apply  
35 for the license on a form prescribed and furnished by the  
36 Department. The application must contain the social security  
37 number of the applicant and such other information as the  
38 Commission may require by regulation. If that person was not  
39 licensed as a master guide during the previous licensing year, the  
40 person's application must be accompanied by a nonrefundable fee of  
41 \$1,500.

42 6. Any person who desires a subguide license must apply for  
43 the license on a form prescribed and furnished by the Department. If  
44 that person was not licensed as a subguide during the previous



1 licensing year, the person's application must be accompanied by a  
2 nonrefundable fee of \$50.

3 7. It is unlawful for the holder of a master guide license to  
4 operate in any area where a special use permit is required without  
5 first obtaining a permit unless the holder is employed by or  
6 providing assistance to a guide pursuant to subsection 3.

7 8. The holder of a master guide license shall maintain records  
8 of the number of hunters and anglers served, and any other  
9 information which the Department may require concerning fish and  
10 game taken by such persons. The information must be furnished to  
11 the Department on request.

12 9. If any licensee under this section, or person served by a  
13 licensee, is convicted of a violation of any provision of this title or  
14 chapter 488 of NRS, ~~{the Commission}~~ *a court of competent*  
15 *jurisdiction* may ~~{revoke}~~ *order the revocation of* the license of the  
16 licensee and may ~~{refuse issuance of}~~ *order the Department not to*  
17 *issue* another license to the licensee for a period not to exceed 5  
18 years.

19 10. The Commission may adopt regulations covering the  
20 conduct and operation of a guide service.

21 11. The Department may issue master guide and subguide  
22 licenses that are valid only in certain management areas,  
23 management units or administrative regions in such a manner as  
24 may be determined by the regulations of the Commission.

25 **Sec. 12.** NRS 504.395 is hereby amended to read as follows:

26 504.395 1. Any person who purposefully or knowingly acts  
27 as a master guide or as a subguide without first obtaining a license  
28 pursuant to NRS 504.390 is guilty of:

29 (a) For a first offense, a gross misdemeanor.

30 (b) For a second or subsequent offense, a category E felony and  
31 shall be punished as provided in NRS 193.130.

32 2. Any vessel, vehicle, aircraft, pack or riding animal or other  
33 equipment used by a person operating in violation of subsection 1 is  
34 subject to forfeiture upon the conviction of that person of a gross  
35 misdemeanor or felony if that person knew or should have known  
36 that the vessel, vehicle, aircraft, animal or equipment would be used  
37 in violation of subsection 1.

38 3. In addition to any penalty imposed pursuant to subsection 1,  
39 if a person is convicted of violating a provision of that subsection,  
40 ~~{the Commission}~~ *a court of competent jurisdiction* shall:

41 (a) ~~{Revoke}~~ *Order the revocation of* any license, permit or  
42 privilege issued to that person pursuant to this title; and

43 (b) ~~{Refuse}~~ *Order the Department not to* issue any new  
44 license, permit or privilege to the person for 5 years after the date of  
45 the conviction.



1       **Sec. 13.** Any regulations adopted by the Board of Wildlife  
2 Commissioners on or before July 1, 2015, which conflict with the  
3 provisions of this act are void. The Legislative Counsel shall remove  
4 those regulations from the Nevada Administrative Code as soon as  
5 practicable after July 1, 2015.

6       **Sec. 14.** (Deleted by amendment.)

7       **Sec. 15.** This act becomes effective on July 1, 2015.





