

State of Arizona
Senate
Fifty-third Legislature
Second Regular Session
2018

CHAPTER 103

SENATE BILL 1253

AN ACT

REPEALING SECTION 5-328, ARIZONA REVISED STATUTES; AMENDING SECTIONS 17-332 AND 17-333, ARIZONA REVISED STATUTES; REPEALING SECTIONS 17-333.01 AND 17-336, ARIZONA REVISED STATUTES; AMENDING SECTION 17-338, ARIZONA REVISED STATUTES; RELATING TO THE ARIZONA GAME AND FISH DEPARTMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Repeal

3 Section 5-328, Arizona Revised Statutes, is repealed.

4 Sec. 2. Section 17-332, Arizona Revised Statutes, is amended to
5 read:

6 17-332. Form and content of license; duplicate licenses;
7 transfer of license prohibited; exceptions; period
8 of validity

9 A. Licenses and license materials shall be prepared by the
10 department and may be furnished and charged to dealers that are authorized
11 to issue licenses. ~~The EACH~~ license shall be issued in the name of the
12 department. ~~Except as AND SIGNED IN A MANNER~~ provided by rule adopted by
13 the commission, ~~each license shall be signed by the licensee in ink on the~~
14 ~~face of the license and any license that is not signed is invalid.~~ With
15 each license authorizing the taking of big game, the department shall
16 provide such tags as the commission may prescribe, which the licensee
17 shall attach to the big game animal in the manner prescribed by the
18 commission. The commission shall limit the number of big game permits
19 issued to nonresidents in a random drawing to ten percent or fewer of the
20 total hunt permits, but in extraordinary circumstances, at a public
21 meeting the commission may increase the number of permits issued to
22 nonresidents in a random drawing if, on separate roll call votes, the
23 members of the commission unanimously:

24 1. Support the finding of a specifically described extraordinary
25 circumstance.

26 2. Adopt the increased number of nonresident permits for the hunt.

27 B. The commission shall issue with each license a shipping permit
28 entitling the holder of the license to a shipment of game or fish as
29 provided by article 4 of this chapter.

30 C. It is unlawful, except as provided by the commission, for any
31 person to apply for or obtain in any one license year more than one
32 original license permitting the taking of big game. A duplicate license
33 or tag may be issued by the department or by a license dealer if the
34 person requesting such a license or tag furnishes the information deemed
35 necessary by the commission.

36 D. A license or permit is not transferable and may not be used by
37 anyone except the person to whom the license or permit was issued, except
38 that:

39 1. The commission may prescribe the manner and conditions of
40 transferring and using permits and tags under this paragraph, including an
41 application process for a qualified organization, to allow a person to
42 transfer the person's big game permit or tag to a qualified organization
43 for use by:

44 (a) A minor child who has a life-threatening medical condition or a
45 permanent physical disability. If a child with a physical disability is

1 under fourteen years of age, the child must satisfactorily complete the
2 Arizona hunter education course or another comparable hunter education
3 course that is approved by the director.

4 (b) A veteran of the armed forces of the United States who has a
5 service-connected disability. For the purposes of this paragraph:

6 (i) "Disability" means a permanent physical impairment that
7 substantially limits one or more major life activities and that requires
8 the assistance of another person or a mechanical device for physical
9 mobility.

10 (ii) "Qualified organization" means a nonprofit organization that
11 is qualified under section 501(c)(3) of the United States internal revenue
12 code and that affords opportunities and experiences to children with
13 life-threatening medical conditions or with physical disabilities or to
14 veterans with service-connected disabilities.

15 2. A parent, grandparent or legal guardian may allow the parent's,
16 grandparent's or guardian's minor child or minor grandchild to use the
17 parent's, grandparent's or guardian's big game permit or tag to take big
18 game pursuant to the following requirements:

19 (a) The parent, grandparent or guardian must transfer the permit or
20 tag to the minor child in a manner prescribed by the commission.

21 (b) The minor child must possess a valid hunting license and, if
22 under fourteen years of age, must satisfactorily complete, before the
23 beginning of the hunt, the Arizona hunter education course or another
24 comparable hunter education course that is approved by the director.

25 (c) Any big game that is taken counts toward the minor child's bag
26 limit.

27 E. Refunds may not be made for the purchase of a license or permit.

28 F. Licenses are valid for a license year as prescribed in rule by
29 the commission. Lifetime licenses and benefactor licenses are valid for
30 the lifetime of the licensee.

31 Sec. 3. Section 17-333, Arizona Revised Statutes, is amended to
32 read:

33 17-333. License classifications; fees; reduced-fee and
34 complimentary licenses; annual report; review

35 A. ~~Through July 1, 2019,~~ The commission shall prescribe by rule
36 license classifications that are valid for the taking or handling of
37 wildlife, fees for licenses, permits, tags and stamps and application
38 fees.

39 B. The commission may temporarily reduce or waive any fee
40 prescribed by rule under this title on the recommendation of the director.

41 C. THE COMMISSION MAY REDUCE THE FEES OF LICENSES AND ISSUE
42 COMPLIMENTARY LICENSES, INCLUDING THE FOLLOWING:

43 1. A COMPLIMENTARY LICENSE TO A PIONEER WHO IS AT LEAST SEVENTY
44 YEARS OF AGE AND WHO HAS BEEN A RESIDENT OF THIS STATE FOR TWENTY-FIVE OR
45 MORE CONSECUTIVE YEARS IMMEDIATELY BEFORE APPLYING FOR THE LICENSE. THE

1 PIONEER LICENSE IS VALID FOR THE LICENSEE'S LIFETIME, AND THE COMMISSION
2 MAY NOT REQUIRE RENEWAL OF THE LICENSE.

3 2. A COMPLIMENTARY LICENSE TO A VETERAN OF THE ARMED FORCES OF THE
4 UNITED STATES WHO HAS BEEN A RESIDENT OF THIS STATE FOR ONE YEAR OR MORE
5 IMMEDIATELY BEFORE APPLYING FOR THE LICENSE AND WHO RECEIVES COMPENSATION
6 FROM THE UNITED STATES GOVERNMENT FOR A PERMANENT SERVICE-CONNECTED
7 DISABILITY RATED AS ONE HUNDRED PERCENT DISABLING.

8 3. A LICENSE FOR A REDUCED FEE TO A VETERAN OF THE UNITED STATES
9 ARMED FORCES WHO HAS BEEN A RESIDENT OF THIS STATE FOR ONE YEAR OR MORE
10 IMMEDIATELY BEFORE APPLYING FOR THE LICENSE AND WHO RECEIVES COMPENSATION
11 FROM THE UNITED STATES GOVERNMENT FOR A SERVICE-CONNECTED DISABILITY.

12 4. A YOUTH LICENSE FOR A REDUCED FEE TO A RESIDENT OF THIS STATE
13 WHO IS A MEMBER OF THE BOY SCOUTS OF AMERICA WHO HAS ATTAINED THE RANK OF
14 EAGLE SCOUT OR A MEMBER OF THE GIRL SCOUTS OF THE USA WHO HAS RECEIVED THE
15 GOLD AWARD.

16 ~~C.~~ D. All monies collected pursuant to this section shall be
17 deposited, pursuant to sections 35-146 and 35-147, in the game and fish
18 fund established by section 17-261.

19 ~~D.~~ E. On or before December 31 of each year, the commission shall
20 submit an annual report to the president of the senate, the speaker of the
21 house of representatives, the chairperson of the senate natural resources,
22 ~~and rural affairs~~ ENERGY AND WATER committee and the chairperson of the
23 house of representatives energy, environment and natural resources
24 committee, or their successor committees, that includes information
25 relating to license classifications, fees for licenses, permits, tags and
26 stamps and any other fees that the commission prescribes by rule. ~~On or~~
27 ~~before July 1, 2019 and each fifth year thereafter,~~ The joint legislative
28 audit committee ~~shall~~ MAY assign a committee of reference to hold a public
29 hearing and review the annual report submitted by the commission.

30 Sec. 4. Repeal

31 Sections 17-333.01 and 17-336, Arizona Revised Statutes, are
32 repealed.

33 Sec. 5. Section 17-338, Arizona Revised Statutes, is amended to
34 read:

35 17-338. Remission of fees from sale of licenses and permits:
36 violation; classification

37 A. License dealers shall transmit to the department all license ~~or~~
38 AND permit fees collected and furnish such information as the commission
39 prescribes by rule. The failure to ~~make such a transmission~~ TRANSMIT
40 THESE FEES within thirty days after the deadline the commission prescribes
41 by rule ~~shall be~~ IS cause to cancel a license dealer's license. The
42 knowing failure to transmit all collected license and permit fees within
43 thirty days is a class 2 misdemeanor.

1 ~~B. Persons issuing licenses or permits other than the department~~
2 ~~shall retain as their compensation five per cent of the selling price of~~
3 ~~each license or permit, except that:~~

4 ~~1. Compensation for Arizona, California, Nevada and Utah-Colorado~~
5 ~~river special use permits shall be established through agreement between~~
6 ~~the respective states and the commission.~~

7 ~~2. License dealers who contract with the commission to sell~~
8 ~~licenses by telecommunication may impose additional fees for their~~
9 ~~services as provided in the contract.~~

10 B. A LICENSE DEALER MAY COLLECT AND RETAIN A REASONABLE FEE AS
11 DETERMINED BY THE LICENSE DEALER IN ADDITION TO THE FEE CHARGED TO ISSUE
12 THE LICENSE OR PERMIT.

APPROVED BY THE GOVERNOR MARCH 29, 2018.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 29, 2018.