

REFERENCE TITLE: license to practice taxidermy; repeal

State of Arizona  
House of Representatives  
Fifty-third Legislature  
Second Regular Session  
2018

## **HB 2404**

Introduced by  
Representative Mosley

AN ACT

AMENDING SECTION 17-101, ARIZONA REVISED STATUTES; REPEALING SECTION 17-363, ARIZONA REVISED STATUTES; RELATING TO TAXIDERMISTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 17-101, Arizona Revised Statutes, is amended to  
3 read:

4 17-101. Definitions

5 A. In this title, unless the context otherwise requires:

6 1. "Angling" means the taking of fish by one line and not to exceed  
7 two hooks, by one line and one artificial lure, which may have attached  
8 more than one hook, or by one line and not to exceed two artificial flies  
9 or lures.

10 2. "Bag limit" means the maximum limit, in number or amount, of  
11 wildlife that may lawfully be taken by any one person during a specified  
12 period of time.

13 3. "Closed season" means the time during which wildlife may not be  
14 lawfully taken.

15 4. "Commission" means the Arizona game and fish commission.

16 5. "Department" means the Arizona game and fish department.

17 6. "Device" means any net, trap, snare, salt lick, scaffold,  
18 deadfall, pit, explosive, poison or stupefying substance, crossbow,  
19 firearm, bow and arrow, or other implement used for taking wildlife.  
20 Device does not include a raptor or any equipment used in the sport of  
21 falconry.

22 7. "Domicile" means a person's true, fixed and permanent home and  
23 principal residence. Proof of domicile in this state may be shown as  
24 prescribed by rule by the commission.

25 8. "Falconry" means the sport of hunting or taking quarry with a  
26 trained raptor.

27 9. "Fishing" means to lure, attract or pursue aquatic wildlife in  
28 such a manner that the wildlife may be captured or killed.

29 10. "Fur dealer" means any person engaged in the business of buying  
30 for resale the raw pelts or furs of wild mammals.

31 11. "Guide" means a person who does any of the following:

32 (a) Advertises for guiding services.

33 (b) Holds himself out to the public for hire as a guide.

34 (c) Is employed by a commercial enterprise as a guide.

35 (d) Accepts compensation in any form commensurate with the market  
36 value in this state for guiding services in exchange for aiding,  
37 assisting, directing, leading or instructing a person in the field to  
38 locate and take wildlife.

39 (e) Is not a landowner or lessee who, without full fair market  
40 compensation, allows access to the landowner's or lessee's property and  
41 directs and advises a person in taking wildlife.

42 12. "License classification" means a type of license, permit, tag  
43 or stamp authorized under this title and prescribed by the commission by  
44 rule to take, handle or possess wildlife.

1           13. "License year" means the twelve-month period between January 1  
2 and December 31, inclusive, or a different twelve-month period as  
3 prescribed by the commission by rule.

4           14. "Nonresident", for the purposes of applying for a license,  
5 permit, tag or stamp, means a citizen of the United States or an alien who  
6 is not a resident.

7           15. "Open season" means the time during which wildlife may be  
8 lawfully taken.

9           16. "Possession limit" means the maximum limit, in number or amount  
10 of wildlife, that may be possessed at one time by any one person.

11           17. "Resident", for the purposes of applying for a license, permit,  
12 tag or stamp, means a person who is:

13           (a) A member of the armed forces of the United States on active  
14 duty and who is stationed in:

15           (i) This state for a period of thirty days immediately preceding  
16 the date of applying for a license, permit, tag or stamp.

17           (ii) Another state or country but who lists this state as the  
18 person's home of record at the time of applying for a license, permit, tag  
19 or stamp.

20           (b) Domiciled in this state for six months immediately preceding  
21 the date of applying for a license, permit, tag or stamp and who does not  
22 claim residency privileges for any purpose in any other state or  
23 jurisdiction.

24           18. "Road" means any maintained right-of-way for public conveyance.

25           19. "Statewide" means all lands except those areas lying within the  
26 boundaries of state and federal refuges, parks and monuments, unless  
27 specifically provided differently by commission order.

28           20. "Take" means pursuing, shooting, hunting, fishing, trapping,  
29 killing, capturing, snaring or netting wildlife or the placing or using of  
30 any net or other device or trap in a manner that may result in the  
31 capturing or killing of wildlife.

32           ~~21. "Taxidermist" means any person who engages for hire in the~~  
33 ~~mounting, refurbishing, maintaining, restoring or preserving of any~~  
34 ~~display specimen.~~

35           ~~22.~~ 21. "Traps" or "trapping" means taking wildlife in any manner  
36 except with a gun or other implement in hand.

37           ~~23.~~ 22. "Wild" means, in reference to mammals and birds, those  
38 species that are normally found in a state of nature.

39           ~~24.~~ 23. "Wildlife" means all wild mammals, wild birds and the  
40 nests or eggs thereof, reptiles, amphibians, mollusks, crustaceans and  
41 fish, including their eggs or spawn.

42           ~~25.~~ 24. "Youth" means a person who is under eighteen years of age.

43           ~~26.~~ 25. "Zoo" means a commercial facility open to the public where  
44 the principal business is holding wildlife in captivity for exhibition  
45 purposes.

- 1 B. The following definitions of wildlife shall apply:  
2 1. "Aquatic wildlife" ~~are~~ MEANS all fish, amphibians, mollusks,  
3 crustaceans and soft-shelled turtles.  
4 ~~3.~~ 2. "Big game" ~~are~~ MEANS wild turkey, deer, elk, pronghorn  
5 (antelope), bighorn sheep, bison (buffalo), peccary (javelina), bear and  
6 mountain lion.  
7 ~~6.~~ 3. "Fur-bearing animals" ~~are~~ MEANS muskrats, raccoons, otters,  
8 weasels, bobcats, beavers, badgers and ringtail cats.  
9 ~~13.~~ 4. "Game fish" ~~are~~ MEANS trout of all species, bass of all  
10 species, catfish of all species, sunfish of all species, northern pike,  
11 walleye and yellow perch.  
12 ~~2.~~ 5. "Game mammals" ~~are~~ MEANS deer, elk, bear, pronghorn  
13 (antelope), bighorn sheep, bison (buffalo), peccary (javelina), mountain  
14 lion, tree squirrel and cottontail rabbit.  
15 ~~10.~~ 6. "Migratory game birds" ~~are~~ MEANS wild waterfowl, including  
16 ducks, geese and swans; sandhill cranes; all coots, all gallinules, common  
17 snipe, wild doves and bandtail pigeons.  
18 ~~8.~~ 7. "Nongame animals" ~~are~~ MEANS all wildlife except game  
19 mammals, game birds, fur-bearing animals, predatory animals and aquatic  
20 wildlife.  
21 ~~11.~~ 8. "Nongame birds" ~~are~~ MEANS all birds except upland game  
22 birds and migratory game birds.  
23 ~~14.~~ 9. "Nongame fish" ~~are~~ MEANS all the species of fish except game  
24 fish.  
25 ~~7.~~ 10. "Predatory animals" ~~are~~ MEANS foxes, skunks, coyotes and  
26 bobcats.  
27 ~~12.~~ 11. "Raptors" ~~are~~ MEANS birds that are members of the order of  
28 falconiformes or strigiformes and include falcons, hawks, owls, eagles and  
29 other birds that the commission may classify as raptors.  
30 ~~5.~~ 12. "Small game" ~~are~~ MEANS cottontail rabbits, tree squirrels,  
31 upland game birds and migratory game birds.  
32 ~~4.~~ 13. "Trophy" means:  
33 (a) A mule deer buck with at least four points on one antler, not  
34 including the eye-guard point.  
35 (b) A whitetail deer buck with at least three points on one antler,  
36 not including the eye-guard point.  
37 (c) A bull elk with at least six points on one antler, including  
38 the eye-guard point and the brow tine point.  
39 (d) A pronghorn (antelope) buck with at least one horn exceeding or  
40 equal to fourteen inches in total length.  
41 (e) Any bighorn sheep.  
42 (f) Any bison (buffalo).  
43 ~~5.~~ 14. "Trout" means all species of the family salmonidae,  
44 including grayling.

1           ~~9.~~ 15. "Upland game birds" ~~are~~ MEANS quail, partridge, grouse and  
2 pheasants.

3           Sec. 2. Heading change

4           The article heading of title 17, chapter 3, article 3, Arizona  
5 Revised Statutes, is changed from "TRAPPERS, GUIDES AND TAXIDERMISTS" to  
6 "TRAPPERS, GUIDES AND FUR DEALERS".

7           Sec. 3. Repeal

8           Section ~~17-363~~, Arizona Revised Statutes, is repealed.