

House Engrossed

G&F; private lands; trespassing

State of Arizona  
House of Representatives  
Fifty-fifth Legislature  
First Regular Session  
2021

**CHAPTER 104**  
**HOUSE BILL 2246**

AN ACT

AMENDING SECTIONS 17-303 AND 17-304, ARIZONA REVISED STATUTES; RELATING TO  
THE TAKING AND HANDLING OF WILDLIFE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 17-303, Arizona Revised Statutes, is amended to  
3 read:

4 17-303. Taking or driving wildlife from closed areas or while  
5 trespassing

6 It is unlawful for any person: ~~;~~

7 1. Except by commission order, to enter ~~upon~~ ON a game refuge or  
8 other area THAT IS closed to hunting, trapping or fishing and take, drive  
9 or attempt to drive wildlife from such ~~areas~~ AN AREA.

10 2. WITHOUT AUTHORIZATION FROM THE LANDOWNER OR LESSEE OF PRIVATE  
11 LAND, TO TAKE WILDLIFE IF SECTION 17-304, SUBSECTION D, PARAGRAPH 1 OR 2  
12 APPLIES.

13 Sec. 2. Section 17-304, Arizona Revised Statutes, is amended to  
14 read:

15 17-304. Prohibition by landowner on hunting, fishing,  
16 trapping or guiding; trespassing; posting;  
17 requirements

18 A. Landowners or lessees of private land who desire to prohibit  
19 hunting, fishing, ~~or~~ trapping OR GUIDING on their lands without their  
20 ~~written~~ permission shall post such lands closed to hunting, fishing, ~~or~~  
21 trapping OR GUIDING using notices or signboards.

22 B. State or federal lands, including those under lease, may not be  
23 posted except by consent of the commission.

24 C. The notices or signboards shall meet all of the following  
25 criteria:

26 1. Be ~~not less than~~ AT LEAST eight inches by eleven inches with  
27 plainly legible wording in capital and bold-faced lettering at least one  
28 inch high.

29 2. Contain the words "NO TRESPASSING", "no hunting", "no trapping",  
30 ~~or~~ "no fishing" OR "NO GUIDING" either as a single phrase or in any  
31 combination.

32 3. Be conspicuously placed on a structure or post ~~at least four~~  
33 ~~feet above ground level~~ at all points of vehicular access, at all property  
34 or fence corners and at intervals of not more than one-quarter mile along  
35 the property boundary, except that a post with one hundred square inches  
36 or more of orange paint may serve as the interval notices between property  
37 or fence corners and points of vehicular access. The orange paint shall  
38 be clearly visible and shall cover the entire aboveground surface of the  
39 post facing outward and on both lateral sides from the closed area.

40 D. The entry of any person for the taking of wildlife ~~shall~~ IS not  
41 ~~be~~ grounds for an action for criminal trespassing pursuant to section  
42 13-1502 unless either:

43 1. The land has been posted pursuant to this section and the  
44 notices and signboards also contain the words "no trespassing".

1           2. The person knowingly remains unlawfully on any real property  
2 after a reasonable request to leave by a law enforcement officer acting at  
3 the request of the owner, the owner or any other person having lawful  
4 control over the property or the person knowingly disregards reasonable  
5 notice prohibiting entry to any real property.

APPROVED BY THE GOVERNOR MARCH 24, 2021.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 24, 2021.