



# ARIZONA HOUSE OF REPRESENTATIVES

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Senate: NREW DPA 9-0-0-0 | 3<sup>rd</sup> Read 21-7-2-0

House: LARA DPA 11-0-0-0

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## **SB 1170: G&F; tags; permits; voter registration**

**Sponsor: Senator Gowan, LD 14**

**House Engrossed**

### **Overview**

Authorizes the refund and transfer of big game permits in certain situations for active-duty members of the armed forces, peace officers and professional firefighters.

### **History**

#### ***Big Game Permit Transfers***

To hunt big game, such as wild turkey, deer and elk, a hunter must have a hunting license and apply for and receive a big game permit. Big game permits are only transferrable in specific circumstances. The Arizona Game and Fish Commission (Commission) has an application process to allow a person to transfer a big game permit to an approved non-profit organization for use by:

- 1) A child with a life-threatening medical condition or physical disability; or
- 2) A veteran who has a service-connected disability.

A parent, grandparent or legal guardian can also let their minor child use their big game permit. Any child under 14 who receives a transferred big game permit must complete an approved hunter education course.

Hunting licenses and big game permits are non-refundable ([A.R.S. § 17-332](#)).

#### ***Nonresident Big Game Permits***

The Commission must limit the number of big game permits issued to nonresidents in a random drawing to 10 percent of fewer of total hunt permits. However, in extraordinary circumstances, the Commission can unanimously vote to increase the number of nonresident permits in the random drawing ([A.R.S. § 17-332](#)). There is no similar limitation in statute for permits and licenses that are not issued in a random drawing.

#### ***Litigation Involving the FY 2022 Budget Procedures BRB***

Part of the FY 2022 Budget Procedures Budget Reconciliation Bill (BRB) authorized the Game and Fish Department (Department) to assist individuals who are applying for a hunting or fishing license with voter registration. Specifically, it directed the Secretary of State to provide the Department with voter registration forms and instructions to applicants to mail completed forms to the Secretary of State. The Secretary of State would then forward completed voter registration forms to the appropriate county recorder ([Laws 2021, Chapter 405, § 4](#)).

The Supreme Court of Arizona recently struck down the entire FY 2022 Budget Procedures BRB for violating the Constitution of Arizona's title requirement ([Arizona School Boards Association, Inc. et al. v. State of Arizona](#)).

**Provisions**

***Reinstatement of Voter Registration Assistance (Sec. 2)***

1. Requires the Department to aid with voter registration when accepting license applications by providing a link to the Department of Transportation's voter registration webpage or a voter registration form.
2. Directs the Secretary of State to provide the Department with voter registration forms and instructions to applicants to mail completed forms to the Secretary of State.
3. Instructs the Secretary of State to forward completed voter registration forms to the appropriate county recorder.
4. Specifies that public information derived from this voter registration information must not indicate the source of the registration information.
5. Clarifies that Department representatives who aid with voter registration are not deputy registrars.

***Big Game Permit Transfers and Refunds (Sec. 3)***

6. Allows the Commission to transfer a big game permit to the qualified non-profit organization for use by a minor child whose parent was killed:
  - a) In action while serving in the armed forces;
  - b) In the course of employment as a peace officer; or
  - c) In the course of employment as a professional firefighter.
7. Requires minors under fourteen years old who use a transferred big game permit to satisfactorily complete an approved hunting education course.
8. Authorizes the Commission to issue refunds for big game permits or tags to:
  - a) Active-duty members of the armed forces, if the individual is ordered to leave the state during the time period the big game permit is valid;
  - b) Peace officers, if assigned to special duty during the time period the big game permit is valid; and
  - c) Professional firefighters, if assigned to special duty during the time period the big game permit is valid.
9. Allows the Commission to limit the number and use of licenses and permits issued to nonresidents that are not issued in a random drawing.
10. Exempts the Commission from the Administrative Procedures Act when it is specifically limiting the number or use of licenses and permits issued to nonresidents that are not issued in a random drawing.

***Miscellaneous***

11. Repeals statute on voter registration assistance that was struck down by the Arizona Supreme Court. (Sec. 1)
12. Defines *department, license, disability and qualified organization*. (Sec. 2 and 3)
13. Makes conforming changes. (Sec. 3)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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