

1 AN ACT relating to Fish and Wildlife law enforcement and making an  
2 appropriation therefor.

3 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

4 ➔Section 1. KRS 61.365 is amended to read as follows:

5 The following persons who are employed by the federal government as law enforcement  
6 or investigative officers who have the power of arrest and who are residents of the  
7 Commonwealth of Kentucky shall be deemed peace officers and shall have the same  
8 powers and duties of any other peace officer in the Commonwealth, except that they shall  
9 not be required to serve process unless permitted to do so by their respective agencies:

- 10 (1) Federal Bureau of Investigation special agents;
- 11 (2) United States Secret Service special agents;
- 12 (3) United States Marshal's service deputies;
- 13 (4) Drug Enforcement Administration special agents;
- 14 (5) Bureau of Alcohol, Tobacco, and Firearms special agents;
- 15 (6) United States Forest Service special agents and law enforcement officers;
- 16 (7) Special agents and law enforcement officers of the Office of the Inspector General  
17 of the United States Department of Agriculture;
- 18 (8) United States Customs Service special agents;
- 19 (9) United States National Park Service law enforcement rangers;~~and~~
- 20 (10) ***Special agents and other law enforcement officers of the United States Fish and***  
21 ***Wildlife Service; and***
- 22 **(11)** United States Mint Police of the United States Department of the Treasury:
  - 23 (a) On the portion of United States Highway 31W that is located within the  
24 borders of the Fort Knox Military Reservation;
  - 25 (b) Within a local jurisdiction, upon the written request of the head of the local  
26 law enforcement agency identifying a specific event and time frame for which  
27 assistance is requested; and

1 (c) Within the Commonwealth, upon the written request of the commissioner of  
2 the Department of Kentucky State Police identifying a specific event and time  
3 frame for which assistance is requested.

4 ➔Section 2. KRS 150.160 is amended to read as follows:

5 Sixty percent (60%) of a fine imposed for the violation of this chapter or KRS Chapter  
6 235 shall, when collected, be paid into the game and fish fund. **If a court imposes no fine**  
7 **but does assess court costs to the party charged with an alleged violation of this chapter**  
8 **or KRS Chapter 235, then ten dollars (\$10) from court costs collected shall be diverted**  
9 **to the game and fish fund.**

10 ➔Section 3. KRS 150.175 is amended to read as follows:

11 The kinds of licenses and tags authorized by this chapter, and the acts authorized to be  
12 performed under the licenses and tags, subject to the other provisions of this chapter and  
13 subject to administrative regulations promulgated under this chapter, shall be as follows:

14 (1) Statewide resident sport fishing license, which authorizes the holder to take fishes  
15 by angling, or take crayfish by a minnow seine, or by hand, to take minnows by the  
16 use of a minnow seine, minnow trap, or dip net, or to take fishes by grabbing,  
17 gigging, snagging, snaring, jugging, and bow and arrow, and to take frogs and  
18 turtles from any waters in any county of this state open for such purposes and  
19 subject to the limitations in this chapter and additional limitations that the  
20 department may from time to time prescribe. This license shall not authorize the  
21 holder to sell fish;

22 (2) A short-term sport fishing license, which authorizes the holder to perform all acts  
23 authorized by a statewide sport fishing license and subject to the same limitations or  
24 prescribed administrative regulations. This license shall not authorize the holder to  
25 sell fish;

26 (3) A resident commercial fishing license and a nonresident commercial fishing license,  
27 which authorize a holder to perform any act authorized by a sport fishing license

- 1 and to take rough fishes from the waters of the state by the use of commercial  
2 fishing gear as prescribed by administrative regulation. The license shall also  
3 authorize the holder to sell rough fishes, other than those protected by  
4 administrative regulation;
- 5 (4) A commercial fishing gear tag, which shall be attached to each piece of commercial  
6 fishing gear including hoop nets, slat traps, trotline, wing nets, and to each one  
7 hundred (100) feet of linear gear or portion thereof in use, including commercial  
8 seines, gill nets, or trammel nets. Commercial gear tags may be issued only to a  
9 person holding a resident or nonresident commercial fishing license;
- 10 (5) Live fish and bait dealer's licenses, resident and nonresident, which authorize the  
11 holder to sell bait and live fish as may be prescribed by administrative regulation;
- 12 (6) Musseling licenses, resident and nonresident, which authorize the holder to take  
13 mussels for commercial purposes as may be prescribed by administrative regulation;
- 14 (7) A statewide resident hunting license, which authorizes the holder to take or pursue  
15 wild animals, wild birds, frogs, and turtles with gun, bow and arrow, dog, or falcon,  
16 or to participate in a fox-hunting party engaged in the hunting or pursuing of foxes  
17 with dogs for sport, according to the provisions of the laws and administrative  
18 regulations of the department;
- 19 (8) A junior statewide hunting license, which may be issued to a person before he or  
20 she has reached his or her sixteenth birthday, and which authorizes the holder to  
21 exercise all the privileges authorized by a statewide hunting license. No junior  
22 hunting license shall be issued without the written permission of parent, guardian,  
23 or person having custody of the person under sixteen (16) years of age;
- 24 (9) Trapping licenses, resident and nonresident, which authorize the holder to take wild  
25 animals by trapping upon his or her own lands or upon the lands of another person,  
26 if the holder of the license has first obtained oral or written consent as provided in  
27 KRS 150.092 and administrative regulation;

- 1 (10) A taxidermist license, which authorizes the holder to engage in the act of preparing,  
2 stuffing, and mounting the skins, *bones, and other remains* of wildlife;
- 3 (11) A commercial guide's license, which authorizes the holder to guide hunting and  
4 fishing parties according to the provisions of the laws and administrative  
5 regulations of the department;
- 6 (12) Fur buyer's licenses, resident and nonresident, which authorize the holder to buy  
7 raw furs from licensed trappers and hunters and to sell raw furs so purchased.  
8 Applicants for the license shall state the number of premises to be used and shall  
9 display at each a copy of the license as furnished by the department, except that the  
10 commissioner may limit the number of copies furnished and may revoke the license  
11 for violation;
- 12 (13) A fur processor's license, which may be issued only to a resident, a partnership,  
13 firm, or corporation of this state and which authorizes the holder to buy raw furs  
14 when in legal possession for processing, manufacture, or retention in cold storage or  
15 for resale;
- 16 (14) A nonresident sport fishing license, which authorizes the holder to perform any act  
17 authorized by a resident statewide sport fishing license. This license shall not  
18 authorize the holder to sell fish;
- 19 (15) A nonresident annual hunting license, which authorizes the holder to perform any  
20 act authorized by a resident statewide hunting license;
- 21 (16) Shoot-to-retrieve field trial permits, four (4) day and single day, which authorize a  
22 permit holder to conduct a shoot-to-retrieve field trial on private or government-  
23 owned lands. With a four (4) day permit, all participants, whether residents or  
24 nonresidents, shall not be required to possess any other license to participate in the  
25 permitted field trial, and the permit shall expire four (4) days after the date on which  
26 the field trial began. With the single day permit, the permit is valid for one (1) day  
27 and all participants shall have a valid resident or nonresident annual Kentucky

- 1 hunting license. A permit is not required to conduct a shoot-to-retrieve field trial on  
2 a licensed shooting preserve; however, all participants that take or attempt to take  
3 game shall have in their possession a resident or nonresident annual Kentucky  
4 hunting license;
- 5 (17) Game permits and junior game permits, which, in combination with a valid  
6 statewide hunting license or a valid junior statewide hunting license, authorize the  
7 holder to take or pursue the specified game species in any designated open area of  
8 this state, during the open season and according to the provisions of the laws and  
9 administrative regulations governing the hunting;
- 10 (18) A combination hunting and fishing license, which authorizes only resident holders  
11 to perform all acts valid under either a sport fishing or hunting license;
- 12 (19) A trout permit, which in combination with a valid statewide fishing license,  
13 authorizes the holder to take trout by angling or as may be prescribed by  
14 administrative regulation;
- 15 (20) A commercial waterfowl permit, which authorizes the holder to establish and  
16 operate a commercial waterfowl hunting preserve;
- 17 (21) A short-term hunting license, which authorizes the holder to perform all acts  
18 authorized by a statewide hunting license according to the provisions of the laws  
19 and administrative regulations of the department;
- 20 (22) A joint statewide resident sport fishing license issued to a husband and wife which  
21 authorizes them to take fish as provided in subsection (1) of this section. The  
22 license fee for this joint license shall be ten percent (10%) less than the license fee  
23 set by the commission for two (2) statewide resident sport fishing licenses;
- 24 (23) A Kentucky migratory bird permit, which in combination with a valid statewide  
25 hunting license and compliance with applicable federal law, authorizes the holder to  
26 take or pursue waterfowl and migratory shore or upland game birds;
- 27 (24) A pay lake license which authorizes the holder to operate privately owned

1 impounded waters for fishing purposes for which a fee is charged;

2 (25) A senior combination hunting and fishing license, which authorizes the holder to  
3 perform all acts valid under a sport fishing license, a sport hunting license, or a state  
4 permit to take deer, turkey, trout, waterfowl, or migratory shore or upland game  
5 birds, and which shall be available to a Kentucky resident who is sixty-five (65)  
6 years of age or older.

7 The senior combination license shall not be valid unless the holder carries proof of  
8 residency and proof of age, as the department may require by administrative  
9 regulation, on his or her person while performing an act authorized by the license;

10 (26) A senior lifetime combination hunting and fishing license, which remains valid  
11 until the death of the holder and authorizes the holder to perform all acts valid under  
12 a sport fishing license, a sport hunting license, and a state permit to take deer,  
13 turkey, trout, waterfowl, and migratory shore and upland game birds, and which  
14 shall be available to a Kentucky resident who is sixty-five (65) years of age or older;

15 (27) A disabled combination hunting and fishing license, which authorizes the holder to  
16 perform all acts valid under a sport fishing license, a sport hunting license, and a  
17 state permit to take deer, turkey, trout, waterfowl, and migratory shore and upland  
18 game birds, and which shall be available to a Kentucky resident who is:

19 (a) An American veteran at least fifty percent (50%) disabled as a result of a  
20 service-connected disability; or

21 (b) Declared permanently and totally disabled by the federal Social Security  
22 Administration, the United States Office of Personnel Management, the  
23 Kentucky Teachers' Retirement System, the Department of Workers' Claims  
24 or its equivalent from another state, or the United States Railroad Retirement  
25 Board.

26 The disabled combination license shall not be valid unless the holder carries proof  
27 of residency and proof of disability, as the department may require by

1 administrative regulation, on his or her person while performing an act authorized  
2 by the license;

3 (28) A sportsman's license for residents that includes an annual hunting and fishing  
4 license and such permits as allowed by administrative regulations promulgated by  
5 the department; and

6 (29) A special license for residents and nonresidents for the purpose of hunting on  
7 licensed shooting areas. This license shall be valid only for the shooting areas for  
8 which it was issued and shall remain in effect for one (1) year. If the hunter holds  
9 either a nonresident or resident statewide hunting license for the current year, the  
10 special license shall not be required.

11 The department may offer multiyear licenses or permits for any of the annual licenses or  
12 permits authorized in subsections (1), (7), (9), (14), (15), (17), (18), (19), (23), and (28) of  
13 this section. A multiyear license or permit shall authorize the holder to perform all acts  
14 authorized by the same license or permit if purchased annually and shall be issued in  
15 accordance with the provisions of this chapter and the administrative regulations  
16 promulgated hereunder. Any multiyear licenses or permits offered by the department  
17 relating to the annual licenses or permits authorized in subsections (1), (7), (9), (14), (15),  
18 (17), (18), (19), (23), and (28) of this section shall be implemented by administrative  
19 regulation and may be discontinued at any time.

20 ➔Section 4. KRS 150.990 is amended to read as follows:

21 (1) Each bird, fish, or animal taken, possessed, bought, sold, or transported and each  
22 device used or possessed contrary to the provisions of this chapter or any  
23 administrative regulation promulgated by the commission thereunder shall  
24 constitute a separate offense. The penalties prescribed in this section shall be for  
25 each offense.

26 (2) (a) Any person who fails to appear pursuant to a citation or summons issued by a  
27 conservation officer or peace officer of this Commonwealth for violation of

1 this chapter or any administrative regulation promulgated thereunder shall  
2 forfeit his or her license or, if that person is license-exempt, shall forfeit the  
3 privilege to perform the acts authorized by the license. The individual shall  
4 not be permitted to purchase another license or exercise the privileges granted  
5 by a license until the citation or summons is resolved. The court shall notify  
6 the department whenever a person has failed to appear pursuant to a citation  
7 or summons for a violation of this chapter or any administrative regulation  
8 promulgated thereunder.

9 (b) Any person who violates any of the provisions of this chapter or any  
10 administrative regulations promulgated by the commission thereunder may, in  
11 addition to the penalties provided in subsections (3), (4), (5), (6), ~~[(7), and]~~  
12 (8), and (9) of this section, forfeit his license or, if that person is license-  
13 exempt, may forfeit the privilege to perform the acts authorized by the license  
14 and shall not be permitted to purchase another license or exercise the  
15 privileges granted by a license during the same license year. No fines, penalty,  
16 or judgment assessed or rendered under this chapter shall be suspended,  
17 reduced, or remitted otherwise than expressly provided by law. Any person  
18 who violates any administrative regulation which has been or may be  
19 promulgated by the commission under any provisions of this chapter shall be  
20 subject to the same penalty as is provided for the violation of any provisions  
21 of this chapter under which the administrative regulation is promulgated.

22 (3) (a) Except as provided in paragraph (6) of this subsection, any person who  
23 violates any of the provisions of KRS 150.120, 150.170, 150.235(1),  
24 150.280(1), 150.320, 150.330(2), 150.355, 150.362, 150.400, 150.410,  
25 150.415, 150.416, 150.445, 150.450, 150.470, 150.603, or 150.722(2), or any  
26 of the provisions of this chapter or any administrative regulation promulgated  
27 by the commission for which no definite fine or imprisonment is fixed shall be



1 fined not less than **one hundred**~~[fifty]~~ dollars (~~(\$100)~~[\$50]) nor more than **one**  
 2 **thousand**~~[five hundred]~~ dollars (~~(\$1,000)~~[\$500]).

3 **(b) Any person who violates the provisions of KRS 150.170 by failing to obtain**  
 4 **a valid resident or nonresident commercial fishing license, a nonresident**  
 5 **commercial fishing license for Asian carp and scaled rough fish plus ten**  
 6 **nonresident gear tags, a commercial taxidermist license, or a resident or**  
 7 **nonresident commercial guide license shall be fined a sum no less than**  
 8 **three (3) times the current price of an appropriate license as established by**  
 9 **administrative regulations by the department.**

10 (4) Any person who violates any of the provisions of KRS 150.290, 150.300, 150.340,  
 11 150.360, 150.362(1), 150.485, 150.600, 150.630, 150.660, the provisions of KRS  
 12 150.195(5) to (8), or KRS 150.660(3) shall be fined not less than **one**  
 13 **hundred**~~[fifty]~~ dollars (~~(\$100)~~[\$50]) nor more than **one thousand**~~[five hundred]~~  
 14 dollars (~~(\$1,000)~~[\$500]) or be imprisoned for not more than six (6) months, or both.  
 15 Also, any person violating the provisions of KRS 150.300 shall be assessed treble  
 16 damages as provided in KRS 150.690 or 150.700. Damages assessed under this  
 17 subsection shall be ordered to be paid directly to the department. The court shall not  
 18 direct that the damages be paid through the circuit clerk.

19 (5) Any person who violates any of the provisions of KRS 150.411, 150.412, or  
 20 150.417 shall be fined not less than **two**~~[one]~~ hundred dollars (~~(\$200)~~[\$100]) nor  
 21 more than **one thousand**~~[five hundred]~~ dollars (~~(\$1,000)~~[\$500]).

22 (6) Any person who violates any of the provisions of KRS 150.183, 150.305, 150.365,  
 23 150.370, 150.330(1), 150.235(2)~~[(3), or (4)]~~, or 150.363 shall be fined not less  
 24 than **two**~~[one]~~ hundred dollars (~~(\$200)~~[\$100]) nor more than **one thousand**~~[five~~  
 25 ~~hundred]~~ dollars (~~(\$1,000)~~[\$500]) or imprisoned for not more than six (6) months, or  
 26 both.

27 (7) **Any person who violates any of the provisions of KRS 150.235(3) or (4) or**

1        **150.280(2) shall be fined not less than five hundred dollars (\$500) nor more than**  
2        **one thousand dollars (\$1,000) or imprisoned for not more than six (6) months, or**  
3        **both.**

4        **(8)** Any person who violates any of the provisions of KRS 150.460 shall be fined not  
5        less than ~~two~~~~[one]~~ hundred dollars (~~\$200~~~~[\$100]~~) nor more than **one thousand**~~[five~~  
6        ~~hundred]~~ dollars (**\$1,000**~~[\$500]~~) or imprisoned for not more than six (6) months, or  
7        both, and in addition to these penalties shall be liable to the department in an  
8        amount not to exceed the replacement value of the fish and wildlife which has been  
9        killed or destroyed. Costs assessed for the restoration of wildlife under this  
10        subsection shall be ordered to be paid directly to the department. The court shall not  
11        direct that the costs be paid through the circuit clerk.

12        ~~**(9)**~~~~[(8)]~~ Any person who violates the provisions of KRS 150.180, 150.520, 150.525, or  
13        administrative regulations issued thereunder shall for the first offense be fined not  
14        less than ~~two~~~~[one]~~ hundred dollars (~~\$200~~~~[\$100]~~) nor more than ~~two~~~~[one]~~ thousand  
15        dollars (~~\$2,000~~~~[\$1,000]~~); and shall for a second offense be fined not less than **one**  
16        **thousand**~~[five hundred]~~ dollars (**\$1,000**~~[\$500]~~) nor more than ~~three~~~~[one]~~ thousand~~[~~  
17        ~~five hundred]~~ dollars (**\$3,000**~~[\$1,500]~~); and for any subsequent offense, be fined  
18        **three**~~[two]~~ thousand dollars (**\$3,000**~~[\$2,000]~~).

19        ~~**(10)**~~~~[(9)]~~ Any person who violates the provisions of KRS 150.520 or administrative  
20        regulations issued thereunder shall, if the violation relates to methods of taking  
21        mussels, for a first offense be imprisoned in the county jail for no more than thirty  
22        (30) days; for a second offense be imprisoned in the county jail for no more than six  
23        (6) months; and for any subsequent offense be imprisoned in the county jail for no  
24        more than one (1) year. The penalties for violation of this subsection shall be in  
25        addition to the penalties for violation of subsection **(9) of this section**~~[(8)]~~.

26        ~~**(11)**~~~~[(10)]~~ Any person who violates any of the provisions of KRS 150.4111, 150.640, or  
27        KRS 150.450(2) or (3) shall be fined not less than ~~two~~~~[one]~~ hundred dollars

1           (~~\$200~~~~[\$100]~~) nor more than ~~two~~~~[one]~~ thousand dollars (~~\$2,000~~~~[\$1,000]~~).

2    ~~(12)~~~~[(11)]~~ Any person who violates any of the provisions of KRS 150.390 or KRS

3           150.092(4) shall be fined not less than ~~two~~~~[one]~~ hundred dollars (~~\$200~~~~[\$100]~~) nor

4           more than ~~two~~~~[one]~~ thousand dollars (~~\$2,000~~~~[\$1,000]~~) or imprisoned for not less

5           than thirty (30) days nor more than one (1) year, or both. In addition to the penalties

6           prescribed above, he or she shall forfeit his license or, if license-exempt, the

7           privilege to perform the acts authorized by the license for a period of one (1) to

8           three (3) years and shall be liable to the department ~~for~~~~[in]~~ an amount set by

9           administrative regulation~~[reasonably necessary]~~ to replace any deer, wild turkey, or

10          bear taken in violation of KRS 150.390 and for violations of KRS 150.092(4) shall

11          be liable to the landowner or occupant for reasonable compensation for damages.

12          Wildlife replacement costs assessed under this subsection shall be ordered to be

13          paid directly to the department. The court shall not direct that the damages be paid

14          through the circuit clerk. Damages assessed under this subsection shall be ordered

15          to be paid directly to the landowner or occupant. The court shall not direct that the

16          damages be paid through the circuit clerk. Any person who possesses, takes, or

17          molests a wild elk in violation of KRS 150.390 or administrative regulations

18          promulgated under authority of that section shall be fined not less than ~~two~~~~[one]~~

19          thousand dollars (~~\$2,000~~~~[\$1,000]~~) nor more than ~~ten~~~~[five]~~ thousand dollars

20          (~~\$10,000~~~~[\$5,000]~~) or imprisoned for up to six (6) months, or both. In addition to

21          these penalties, the person shall pay to the department an amount not to exceed the

22          greater of the replacement cost of the wild elk or double any monetary gain realized

23          from the illegal activity and shall forfeit his or her license or, if license-exempt, the

24          privilege to perform the acts authorized by the license for a period of one (1) to

25          three (3) years.

26    ~~(13)~~~~[(12)]~~ Any person who violates any of the provisions of KRS 150.090 other than a

27          criminal homicide or an assault against an officer enforcing the provisions of this

1 chapter, KRS Chapter 235, or the administrative regulations issued thereunder shall  
2 be guilty of a Class A misdemeanor.

3 ~~(14)~~~~(13)~~ Any person who commits a criminal homicide or an assault against an officer  
4 enforcing the provisions of this chapter, KRS Chapter 235, or the administrative  
5 regulations issued thereunder shall be subject to the penalties specified for the  
6 offense under KRS Chapter 507 or 508, as appropriate.

7 ~~(15)~~~~(14)~~ A person shall be guilty of a Class B misdemeanor upon the first conviction  
8 for a violation of KRS 150.710. A subsequent conviction shall be a Class A  
9 misdemeanor.

10 ~~(16)~~~~(15)~~ Any person who violates the provisions of KRS 150.092 or the administrative  
11 regulations promulgated thereunder for which no other penalty is specified  
12 elsewhere in this section shall for the first offense be fined not less than ~~two~~~~one~~  
13 hundred dollars (~~200~~~~\$100~~) nor more than ~~six~~~~three~~ hundred dollars (~~600~~~~\$300~~);  
14 for the second offense, be fined not less than ~~six~~~~three~~ hundred dollars  
15 (~~\$600~~~~\$300~~) nor more than ~~two~~~~one~~ thousand dollars (~~\$2,000~~~~\$1,000~~); and for  
16 subsequent offenses, shall forfeit the license or, if license-exempt, the privilege to  
17 perform the acts authorized by the license, for one (1) year and shall be fined not  
18 less than ~~two~~~~one~~ thousand dollars (~~\$2,000~~~~\$1,000~~) or be imprisoned in the county  
19 jail for up to one (1) year, or both. In addition to the penalties prescribed in this  
20 subsection, the violator shall be liable to the landowner or tenant for the  
21 replacement cost of any property which was damaged or destroyed by his actions.  
22 Damages assessed under this subsection shall be ordered to be paid directly to the  
23 landowner or the tenant. The court shall not direct that the damages be paid through  
24 the circuit clerk.

25 ~~(17)~~~~(16)~~ (a) Any person who knowingly violates KRS 150.361 shall for a first  
26 offense be fined not less than ~~two~~~~one~~ hundred dollars (~~\$200~~~~\$100~~) nor  
27 more than ~~two~~~~one~~ thousand dollars (~~\$2,000~~~~\$1,000~~) or be imprisoned in the

1 county jail for not more than six (6) months, or both.

2 (b) Any person who knowingly violates KRS 150.361 shall for a second or  
3 subsequent offense be fined not less than one thousand~~five hundred~~ dollars  
4 (\$1,000~~\$500~~) nor more than three~~one~~ thousand ~~five hundred~~ dollars  
5 (\$3,000~~\$1,500~~) or be imprisoned in the county jail for not more than six (6)  
6 months, or both.

7 (c) In addition to the penalties specified in paragraphs (a), (b), and (d) of this  
8 subsection, a person knowingly violating KRS 150.361 shall forfeit his or her  
9 hunting license or, if license-exempt, the privilege to perform the acts  
10 authorized by the license for a period of not less than one (1) nor more than  
11 three (3) years.

12 (d) In addition to the penalties specified in paragraphs (a), (b), and (c) of this  
13 subsection any person knowingly violating KRS 150.361 shall be liable to the  
14 department in an amount not to exceed the greater of the replacement value of  
15 any wildlife killed or wounded in violation of KRS 150.361 or double the  
16 amount of the monetary gain from knowingly violating KRS 150.361.

17 (e) Wildlife replacement costs or other costs specified in paragraph (d) of this  
18 subsection shall be ordered paid directly to the department. The court shall not  
19 direct that the replacement costs be paid through the circuit clerk.

20 ~~(18)~~~~(17)~~ Any person convicted of violating KRS 150.186 shall be guilty of a Class A  
21 misdemeanor and shall, whether licensed or license-exempt, forfeit his or her right  
22 to hunt, fish, trap, or be licensed as a commercial guide for a period of ten (10)  
23 years.

24 ➔Section 5. KRS 235.990 is amended to read as follows:

25 (1) Any person who violates any of the provisions of this chapter or administrative  
26 regulations adopted under this chapter shall be fined not less than fifty dollars (\$50)  
27 nor more than two hundred dollars (\$200). After July 15, 2000, any person who

1 violates KRS 235.230 shall be fined not less than fifteen dollars (\$15) nor more  
 2 than one hundred dollars (\$100). Each ~~and each~~ day the violation continues may  
 3 constitute a separate offense.

4 (2) Any person who violates KRS 235.240(2) shall not be subject to the penalties of  
 5 KRS Chapter 189A but shall be guilty of a separate offense and subject to: ~~;~~

6 (a) A fine of two hundred dollars (\$200) to two hundred fifty dollars (\$250) or  
 7 imprisonment for twenty-four (24) hours for the first offense, or both; ~~;~~

8 (b) A fine of three hundred fifty dollars (\$350) to five hundred dollars (\$500) or  
 9 imprisonment for forty-eight (48) hours for the second offense, or both; ~~;~~ and

10 (c) A fine of six hundred dollars (\$600) to one thousand dollars (\$1,000) and/or  
 11 imprisonment in the county jail for not less than thirty (30) days ~~, or both,~~ for  
 12 the third or subsequent offense.

13 A person who refuses ~~Refusal~~ to submit to a breath alcohol analysis or  
 14 similar test in violation of KRS 235.240(3) shall be subject to a civil penalty  
 15 within the range of the fines allowed by paragraph (a) of this  
 16 subsection ~~[deemed an offense]~~.

17 (3) (a) A person shall ~~may~~, in addition to ~~or in lieu of~~ the penalties specified in  
 18 subsection (1) or (5) of this section, be required to take a safe-boating course  
 19 approved by the department or offered by the United States Coast Guard,  
 20 Coast Guard Auxiliary, or U.S. Power Squadron and to present the court a  
 21 certificate documenting successful completion of the course.

22 (b) A person shall, in addition to the penalties of subsection (2) of this section, be  
 23 required to take a safe-boating course offered by the department and to present  
 24 the court a certificate documenting successful completion of the course. The  
 25 person attending a class under this paragraph shall pay the department a fee of  
 26 one hundred dollars (\$100) for the costs of materials and instruction before  
 27 receiving a certificate of completion.

- 1 (4) After July 15, 2000, any person who violates KRS 235.420 or 235.430 shall be  
2 fined not less than fifteen dollars (\$15) nor more than one hundred dollars (\$100). A  
3 person who violates KRS 235.420 or 235.430 shall be fined not less than one  
4 hundred dollars (\$100) nor more than three hundred dollars (\$300) for the second  
5 offense, and not less than three hundred dollars (\$300) nor more than five hundred  
6 dollars (\$500) for the third or any subsequent offense.
- 7 (5) Any person failing to obey a citation issued in accordance with KRS 235.315 shall  
8 be guilty of a separate offense and shall be fined not less than fifty dollars (\$50) nor  
9 more than two hundred dollars (\$200).
- 10 (6) Any person who makes a false statement regarding a marine boat toilet on the  
11 application for registration or renewal registration for a motorboat shall be fined one  
12 hundred dollars (\$100). This penalty shall be separate from any other penalty that  
13 may be applicable for violation of this chapter.
- 14 (7) Any person who resists, obstructs, interferes with, threatens, attempts to intimidate,  
15 or in any other manner interferes with any officer in the discharge of his duties,  
16 other than a criminal homicide or an assault against an officer enforcing the  
17 provisions of this chapter, KRS Chapter 150, or the administrative regulations  
18 issued under either of these chapters, shall be guilty of a Class A misdemeanor.
- 19 (8) Any person who commits a criminal homicide or an assault against an officer  
20 enforcing the provisions of this chapter, KRS Chapter 150, or the administrative  
21 regulations issued under either of these chapters shall be subject to the penalties  
22 specified for the offense under KRS Chapter 507 or 508, as appropriate.
- 23 (9) Any person who violates KRS 235.203 shall be fined fifty dollars (\$50).
- 24 ➔Section 6. KRS 150.460 is amended to read as follows:
- 25 (1) No person, firm or corporation, whether acting in a private or public capacity, shall  
26 place or cause to be placed in any public waters any substance that might injure,  
27 interfere with, or cause the waters to be unfit for the support of wildlife. When any

1 employee of a person, firm or corporation, in the course of his employment, places  
2 or causes to be placed any such substance in any public waters, his act shall be  
3 prima facie evidence of the guilt of both the employee and the employer, and either  
4 one (1) or both may be punished as provided in subsection ~~(8)~~~~(7)~~ of KRS 150.990.  
5 Each day that this section is violated shall constitute a separate offense. This section  
6 does not apply to employees or agents of the department acting in an official  
7 capacity.

8 (2) No person shall use, or attempt to use any electrical device, fish-finding devices  
9 excepted, of any type, such as telephone, or electrical leads from a magneto, or  
10 battery, or motor, or any other type of electrical equipment, in any stream or body of  
11 water. This does not prevent the authorized employees or agents of the department  
12 from using this or any devices in research or investigational work.

13 (3) No person, except employees or agents of the department, shall willfully place or  
14 attempt to place in any of the public waters of the state any substance which has a  
15 poisonous or intoxicating effect upon wildlife.

16 (4) No person shall kill, injure, shock, or stun or attempt to kill, injure, shock, or stun  
17 any fishes by any explosive agent, firearm, or other device. This provision shall not  
18 apply to employees or agents of the department acting in an official capacity.