

ASSEMBLY BILL NO. 473—COMMITTEE ON NATURAL
RESOURCES, AGRICULTURE, AND MINING

MARCH 25, 2019

Referred to Committee on Natural Resources,
Agriculture, and Mining

SUMMARY—Revises provisions relating to trapping.
(BDR 45-904)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to trapping; making it unlawful for a person at any time to set, operate or otherwise use a leghold trap to hunt any wild mammal; increasing the frequency at which a person who takes or causes to be taken any wild mammals by means of a trap, snare or similar device must check the trap, snare or similar device; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, all wild mammals in this State must be classified by the
2 Board of Wildlife Commissioners as game mammals, fur-bearing mammals,
3 protected mammals or unprotected mammals. (NRS 501.110) Under existing law, it
4 is unlawful for a person at any time to hunt any fur-bearing mammal in any manner
5 other than by trap, gun or bow and arrow. (NRS 503.450) A person who violates
6 that prohibition is guilty of a misdemeanor. (NRS 501.385) **Section 2** of this bill
7 makes it unlawful for a person to set, operate or otherwise use a leghold trap to hunt
8 any wild mammal. **Sections 1 and 3** of this bill make conforming changes.
9 Existing law requires the Board of Wildlife Commissioners to adopt regulations
10 setting forth the frequency at which a person who takes or causes to be taken any
11 wild mammals by means of a lawful trap, snare or similar device must check the
12 trap, snare or similar device. The regulations must require the person to check the
13 trap, snare or similar device at least once each 96 hours. (NRS 503.570) Any person
14 who violates those regulations is guilty of a misdemeanor. (NRS 501.385) **Section**
15 **4** of this bill increases the frequency which the person must check the trap, snare or
16 similar device under those regulations from at least once each 96 hours to at least
17 once each 24 hours.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 501.181 is hereby amended to read as follows:

2 501.181 The Commission shall:

3 1. Establish broad policies for:

4 (a) The protection, propagation, restoration, transplanting,
5 introduction and management of wildlife in this State.

6 (b) The promotion of the safety of persons using or property
7 used in the operation of vessels on the waters of this State.

8 (c) The promotion of uniformity of laws relating to policy
9 matters.

10 2. Guide the Department in its administration and enforcement
11 of the provisions of this title and of chapter 488 of NRS by the
12 establishment of such policies.

13 3. Establish policies for areas of interest including:

14 (a) The management of big and small game mammals, upland
15 and migratory game birds, fur-bearing mammals, game fish, and
16 protected and unprotected mammals, birds, fish, reptiles and
17 amphibians.

18 (b) The management and control of predatory wildlife.

19 (c) The acquisition of lands, water rights and easements and
20 other property for the management, propagation, protection and
21 restoration of wildlife.

22 (d) The entry, access to, and occupancy and use of such
23 property, including leases of grazing rights, sales of agricultural
24 products and requests by the Director to the State Land Registrar for
25 the sale of timber if the sale does not interfere with the use of the
26 property on which the timber is located for wildlife management or
27 for hunting or fishing thereon.

28 (e) The control of nonresident hunters.

29 (f) The introduction, transplanting or exporting of wildlife.

30 (g) Cooperation with federal, state and local agencies on wildlife
31 and boating programs.

32 (h) The revocation of licenses issued pursuant to this title to any
33 person who is convicted of a violation of any provision of this title
34 or any regulation adopted pursuant thereto.

35 4. ~~Establish~~ *Except as otherwise provided in section 2 of this*
36 *act, establish* regulations necessary to carry out the provisions of
37 this title and of chapter 488 of NRS, including:

38 (a) Seasons for hunting game mammals and game birds, for
39 hunting or trapping fur-bearing mammals and for fishing, the daily
40 and possession limits, the manner and means of taking wildlife,
41 including, but not limited to, the sex, size or other physical
42 differentiation for each species, and, when necessary for



1 management purposes, the emergency closing or extending of a
2 season, reducing or increasing of the bag or possession limits on a
3 species, or the closing of any area to hunting, fishing or trapping. If,
4 in establishing any regulations pursuant to this subsection, the
5 Commission rejects the recommendations of a county advisory
6 board to manage wildlife with regard to the length of seasons for
7 fishing, hunting and trapping or the bag or possession limits
8 applicable within the respective county, the Commission shall
9 provide to the county advisory board to manage wildlife at the
10 meeting an explanation of the Commission's decision to reject the
11 recommendations and, as soon as practicable after the meeting, a
12 written explanation of the Commission's decision to reject the
13 recommendations. Any regulations relating to the closure of a
14 season must be based upon scientific data concerning the
15 management of wildlife. The data upon which the regulations are
16 based must be collected or developed by the Department.

17 (b) The manner of using, attaching, filling out, punching,
18 inspecting, validating or reporting tags.

19 (c) The delineation of game management units embracing
20 contiguous territory located in more than one county, irrespective of
21 county boundary lines.

22 (d) The number of licenses issued for big game and, if
23 necessary, other game species.

24 5. Adopt regulations requiring the Department to make public,
25 before official delivery, its proposed responses to any requests by
26 federal agencies for its comment on drafts of statements concerning
27 the environmental effect of proposed actions or regulations affecting
28 public lands.

29 6. Adopt regulations:

30 (a) Governing the provisions of the permit required by NRS
31 502.390 and for the issuance, renewal and revocation of such a
32 permit.

33 (b) Establishing the method for determining the amount of an
34 assessment, and the time and manner of payment, necessary for the
35 collection of the assessment required by NRS 502.390.

36 7. Designate those portions of wildlife management areas for
37 big game mammals that are of special concern for the regulation of
38 the importation, possession and propagation of alternative livestock
39 pursuant to NRS 576.129.

40 8. ~~Adopt~~ *Except as otherwise provided in section 2 of this*
41 *act, adopt* regulations governing the trapping of fur-bearing
42 mammals in a residential area of a county whose population is
43 100,000 or more.

44 9. Adopt regulations prescribing the circumstances under
45 which a person, regardless of whether the person has obtained a



1 valid tag issued by the Department, may assist in the killing and
2 retrieval of a wounded big game mammal by another person who:

3 (a) Is a paraplegic, has had one or both legs amputated or has
4 suffered a paralysis of one or both legs which severely impedes the
5 person's walking; and

6 (b) Has obtained a valid tag issued by the Department for
7 hunting that animal.

8 10. In establishing any policy or adopting any regulations
9 pursuant to this section, first consider the recommendations of the
10 Department, the county advisory boards to manage wildlife and
11 other persons who present their views at an open meeting of the
12 Commission.

13 **Sec. 2.** Chapter 503 of NRS is hereby amended by adding
14 thereto a new section to read as follows:

15 *1. It is unlawful for a person at any time to set, operate or*
16 *otherwise use a leghold trap to hunt any wild mammal.*

17 *2. As used in this section, "leghold trap" means any device,*
18 *regardless of the size of the device, that is designed, built or made*
19 *to close upon or hold fast a foot or leg of a wild mammal through*
20 *the use of a clamp or jaw.*

21 **Sec. 3.** NRS 503.450 is hereby amended to read as follows:

22 503.450 ~~It~~ *Except as otherwise provided in section 2 of this*
23 *act, it* is unlawful for any person at any time to hunt any fur-bearing
24 mammal in any manner other than by trap, gun or bow and arrow.

25 **Sec. 4.** NRS 503.570 is hereby amended to read as follows:

26 503.570 1. A person taking or causing to be taken wild
27 mammals by means of traps, snares or similar devices shall, if the
28 traps, snares or similar devices are placed or set to take mammals,
29 visit or cause to be visited each trap, snare or similar device at a
30 frequency specified in regulations adopted by the Commission
31 pursuant to subsection 3 during all of the time the trap, snare or
32 similar device is placed, set or used to take wild mammals, and
33 remove therefrom any animals caught therein.

34 2. The provisions of subsection 1 do not apply to employees of
35 the State Department of Agriculture or the United States Department
36 of Agriculture when acting in their official capacities.

37 3. The Commission shall adopt regulations setting forth the
38 frequency at which a person who takes or causes to be taken wild
39 mammals by means of traps, snares or similar devices must visit a
40 trap, snare or similar device. The regulations must require the
41 person to visit a trap, snare or similar device at least once each ~~96~~
42 *24* hours. In adopting the regulations, the Commission shall
43 consider requiring a trap, snare or similar device placed in close
44 proximity to a populated or heavily used area by persons to be



1 visited more frequently than a trap, snare or similar device which is
2 not placed in close proximity to such an area.

3 **Sec. 5.** Notwithstanding the amendatory provisions of this act,
4 any regulation adopted before October 1, 2019, by the Board of
5 Wildlife Commissioners which sets forth the frequency at which a
6 person must visit a trap, snare or similar device pursuant to NRS
7 503.570, as amended by section 2 of this act, remains in effect and
8 may be enforced until the Commission repeals or replaces the
9 regulation in accordance with NRS 503.570, as amended by section
10 4 of this act.



