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Act No. 110 (H.411). Fish and wildlife; hunting; retrieval and disposal of wildlife

An act relating to the retrieval and use of covered wild animals

This act establishes requirements for the retrieval and use of certain covered wild animals when a wild animal is intentionally or knowingly killed by a person. The term “covered wild animal” is defined as an animal that is a big game animal, game quadruped, game bird, fur-bearing animal, or crow. The act provides that a person shall not intentionally or knowingly kill a covered wild animal and intentionally or knowingly fail to make a reasonable effort to retrieve the covered wild animal and use the covered wild animal. The act requires a person who retrieves a lawfully taken covered wild animal, or a person to whom the lawfully taken covered wild animal is transferred, to retain the animal in the person’s possession until it is processed as food; processed for its fur, hide, or feathers; or used for taxidermy. The inedible or unusable parts or portions of a covered wild animal from processing of the covered wild animal shall be disposed of as provided under requirements established by the act. The act provides that a person shall not place, leave, dump, or abandon the carcass or parts of a covered wild animal along or upon a public right-of-way or highway; upon a private, posted property without permission of the owner or the owner’s agent; or where prohibited by State or municipal law.

The act provides that the requirements to use the animal do not apply when a covered wild animal is unfit for consumption or use or to coyote taken by a lawful means other than trapping. The act also provides that the requirements for retrieval of a covered animal and the requirements for use of a covered animal do not apply when the failure to retrieve, the failure to salvage, or the failure to retain the covered wild animal is beyond the control of the person due to theft of the covered wild animal by another person; unavoidable loss in the field to a wild animal; lack of legal access to property where a wounded or dead covered wild animal is located; or other circumstances that prevent salvage, retrieval, or retention. The requirements to retrieve and use a covered wild animal also do not apply when the animal is taken in order to defend a person or property, when the covered wild animal is sick or diseased, to a law enforcement officer or employee acting within the course of the officer’s or employee’s employment, or when following generally accepted hunting or trapping practices set forth in statute or rules or as approved as a best practice by the Commissioner of Fish and Wildlife.

Effective Date: May 11, 2022