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S.22

Introduced by Senators Perchlik, Bray, Cummings, Ram Hinsdale, Watson  
and Westman

Referred to Committee on

Date:

Subject: Fish and Wildlife; posting land; notice; use of paint markings

Statement of purpose of bill as introduced: This bill proposes to authorize a person to prohibit hunting or fishing on land the person owns by maintaining visible paint markings on trees, posts, or other objects at or near the border of the land.

An act relating to the posting of land against hunting or fishing

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 10 V.S.A. § 5201 is amended to read:

§ 5201. NOTICES; POSTING

(a)(1) An owner, or a person having the exclusive right to take game upon land or the waters thereon, who desires to protect his or her land or private pond or propagation farm over which he or she has exclusive control may ~~maintain notices stating that~~ prohibit hunting or fishing on the land by:

(A) maintaining notices stating that:

1           ~~(A)~~(i) the shooting, trapping, or taking of game or wild animals is  
2 prohibited or is by permission only;

3           ~~(B)~~(ii) fishing or the taking of fish is prohibited or is by  
4 permission only; or

5           ~~(C)~~(iii) fishing, hunting, trapping, or taking of game is prohibited  
6 or is by permission only.

7           (B) maintaining paint markings on trees, posts, or other objects,  
8 provided that the marking shall:

9           (i) consist of one painted line of purple paint that is a minimum of  
10 eight inches high and two inches wide;

11           (ii) be painted at between three to six feet above ground level;

12           (iii) be painted on a tree, post, or other object that is visible to a  
13 person approaching the land; and

14           (iv) comply with the requirements of subdivision (b)(1) of this  
15 section.

16           (2) “Permission only signs” authorized under this section shall contain  
17 the owner’s name and a method by which to contact the property owner or a  
18 person authorized to provide permission to hunt, fish, or trap on the property.

19           (b)(1) Notices or paint markings prohibiting the taking of game shall be  
20 erected or painted upon or near the boundaries of lands to be affected with

1 notices or paint markings at each corner and not over 400 feet apart along the  
2 boundaries thereof.

3 (2) Legible Notice signs erected under subdivision (a)(1)(A) of this  
4 section must be legible and maintained at all times and shall be dated each  
5 year. These Notice signs erected under subdivision (a)(1)(A) of this section  
6 shall be of a standard size and design as the Commissioner shall specify.

7 (c)(1) The owner or person posting the lands with notice signs under  
8 subdivision (a)(1)(A) of this section shall record this posting annually in the  
9 town clerk's office of the town in which the land is located.

10 (2) The owner or person posting lands with paint markings under  
11 subdivision (a)(1)(B) of this section shall record the posting with the town  
12 clerk's office of the town in which the land is located when the land is  
13 originally marked with paint and shall not be required to update the notice  
14 annually.

15 (3) The recording form required under this subsection shall be furnished  
16 by the Commissioner and shall be filled out in triplicate, one copy to be  
17 retained by the town clerk, one copy to the Commissioner, and one copy to be  
18 retained by the person having the right to post the lands. The forms shall  
19 contain the information as to the approximate number of acres posted, location  
20 in town, date of posting, and signature of person so posting the lands. The

1 town clerk shall file the record, and it shall be open to public inspection. The  
2 town clerk shall retain a fee of \$5.00 for this recording.

3 (d) Land posted as provided in subsection (b) of this section shall be  
4 enclosed land for the purposes herein.

5 Sec. 2. EFFECTIVE DATE

6 This act shall take effect on July 1, 2023.