

1 H.723

2 Introduced by Representatives Eastes of Guilford, Bishop of Colchester,
3 Harple of Glover, Satcowitz of Randolph, and Stevens of
4 Waterbury

5 Referred to Committee on

6 Date:

7 Subject: Conservation and development; private preserves; fish and wildlife;
8 posting of land; requirements for posting

9 Statement of purpose of bill as introduced: This bill proposes to amend the
10 requirements for the posting of land against hunting and fishing to clarify that
11 “posting annually” means posting once every 12 months.

12 An act relating to posting of land

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

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

15 § 5201. NOTICES; POSTING

16 (a)(1) An owner, or a person having the exclusive right to take game upon
17 land or the waters thereon, who desires to protect ~~his or her~~ the owner's land
18 or private pond or propagation farm over which ~~he or she~~ the owner has
19 ~~exclusive control~~ may maintain notices stating that.

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

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

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

7 (2) "Permission only signs" authorized under this section shall contain
8 the owner's name and a method by which to contact the property owner or a
9 person authorized to provide permission to hunt, fish, or trap on the property.

10 (b) Notices prohibiting the taking of game shall be erected upon or near the
11 boundaries of lands to be affected with notices at each corner and not over 400
12 feet apart along the boundaries thereof. Legible signs must be maintained at
13 all times and shall be dated each year. These signs shall be of a standard size
14 and design as the Commissioner shall specify.

15 (c) The owner or person posting the lands shall record this posting annually
16 in the town clerk's office of the town in which the land is located. The posting
17 shall be valid and enforceable for 365 days after the date the posting is
18 recorded. The recording form shall be furnished by the Commissioner and
19 shall be filled out in triplicate, one copy to be retained by the town clerk, one
20 copy to the Commissioner, and one copy to be retained by the person having
21 the right to post the lands. The forms shall contain the information as to the

1 ~~approximate number of acres posted, location in town, date of posting, and~~
2 signature of person so posting the lands. The town clerk shall file the record,
3 and it shall be open to public inspection. The town clerk shall retain a fee of
4 \$5.00 for this recording.

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

7 Sec. 2. EFFECTIVE DATE

8 ~~This act shall take effect on July 1, 2026.~~

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~~ the owner's land or private pond or propagation farm over which ~~he or she~~ the owner has exclusive control may maintain notices stating that:

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

(B) fishing or the taking of fish is prohibited or is by permission only;

or

(C) fishing, hunting, trapping, or taking of game or wild animals is prohibited or is by permission only.

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

(b) ~~Notices prohibiting the taking of game~~ Notice signs shall be erected upon or near the boundaries of lands to be affected with notices at each corner and not over 400 feet apart along the boundaries thereof. Legible Notice signs must shall be maintained at all times ~~and shall be dated each year~~. These Notice signs shall be of a standard size and design as the Commissioner shall specify.

(c) The owner or person posting the lands shall record this posting annually in the town clerk's office of the town in which the land is located. The posting shall be valid and enforceable for 365 days after the date the posting is recorded. The recording form shall be furnished by the Commissioner and shall be filled out in triplicate, one copy to be retained by the town clerk, one copy to the Commissioner, and one copy to be retained by the person having the right to post the lands. The forms shall contain the information as to the approximate number of acres posted, location in town, date of posting, and signature of person so posting the lands. The town clerk shall file the record, and it shall be open to public inspection. The town clerk shall retain a fee of \$5.00 for this recording.

(d) Land posted and recorded as provided in ~~subsection (b)~~ of this section shall be enclosed land for the purposes herein. Accidental or unintentional deviations from the requirements of subsections (a) and (b) of this section shall still be deemed effective to prohibit or permit by permission only hunting, fishing, trapping, or taking of game or wild animals if the notice signs would lead a reasonable person to believe that hunting, fishing, trapping, or taking of game or wild animals is prohibited on the land. Property owners with actual notice that their notice signs deviate from the requirements of this section shall take reasonable steps to ensure their notice signs comply with this section.

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.