



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2005 Wisconsin Act 359
[2005 Assembly Bill 345]

Hunting Farm-Raised Deer

Current law permits the hunting of farm-raised deer on deer farms that are registered with the Department of Agriculture, Trade and Consumer Protection (DATCP). This statute requires that the area in which deer are confined must be 80 contiguous acres or more in order for the owner of the deer farm to charge a fee for hunting of deer. Prior to January 1, 2003, under the deer farm license statutes that were previously administered by the Department of Natural Resources (DNR), farm-raised deer could be hunted in an area specified in the license, if the area designated for hunting was not less than 10 acres.

2005 Wisconsin Act 359 modifies the current statute that requires 80 contiguous acres or more in order to hunt farm-raised deer, by creating an exception for previously licensed deer farms. In order to qualify for the exception, the following conditions must be met.

- The owner must have had a deer-farm license issued by DNR under prior statutes that was in effect on December 31, 2002, and the permit must have authorized deer hunting.
- The owner must have complied with the requirement to register the deer farm with DATCP on January 1, 2003, and must have kept the deer farm registered continuously since that date.
- The deer must be confined in an area not less than the acreage subject to the DNR deer farm license on December 31, 2002.
- The owner must have offered the opportunity to hunt as authorized under the license prior to January 1, 2003.
- The owner must submit evidence showing compliance with these statutory requirements and DATCP must verify the evidence.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.

The Act specifies the kind of evidence that the owner may present to DATCP in order to show that the conditions for the exception have been met, including specific notices that a deer farm owner was required to give to DNR under the prior statutes in order for the taking of deer to be allowed, reports submitted by the deer farm owner to the DNR under the former statute regarding deer having been taken, state or federal income tax records or sales tax records, a conditional use permit or other regulation imposed by a local governmental unit, receipts or other business records, or brochures and other promotional information.

The Act requires a person who wishes to qualify for the exception to make application no later than November 1, 2006.

Under current DATCP rules, a registration certificate that authorizes a person to keep farm-raised deer is not transferable to another party. The Act specifically authorizes an individual to transfer his or her registration certificate or ownership interest in a deer farm to a member of his or her immediate family.

Effective Date: May 3, 2006.

Prepared by: Mark C. Patronsky, Senior Staff Attorney

May 31, 2006

MCP:ksm