

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

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RNK:bjk:rs

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This draft prohibits those persons who are prohibited under current law from possessing a firearm from obtaining or using a hunting license that authorizes the use of a firearm. Please note that under current law, certain hunting licenses authorize the use of a firearm or a bow and arrow, such as a wild turkey hunting license. This draft prohibits a person from having such a license even if the person intends to hunt only with a bow and arrow. Is this consistent with your intent or do you want to allow such a person to obtain a "combined" license if the license is used only to hunt with a bow and arrow? If you prefer the latter approach, please let me know and I will redraft accordingly.

The draft provides that if a person obtains or uses a hunting license in violation of the prohibition created in the draft, the person is guilty of a Class I felony. The penalty for a Class I felony is a fine not to exceed \$10,000 or imprisonment not to exceed 3 years and 6 months, or both. Is this penalty O.K.?

The draft also requires the Department of Natural Resources to inform each person who applies for a hunting license of the prohibition created in the draft. It also specifies that a court must order revocation of all hunting, fishing, and trapping approvals issued to a person who violates the prohibition. Are these provisions consistent with your intent?

I have prepared this draft in preliminary form to give you an opportunity to make changes to the draft before putting it in final form. Please feel free to contact me if you have any questions with regards to the draft.

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