



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 359

PRINTERS NO. 377

PRIME SPONSOR: English

COST / (SAVINGS)

FUND	FY 2016/17	FY 2017/18
General Fund	\$0	\$0
Game Fund	\$0	\$0

SUMMARY: Amends Title 34 (Game and Wildlife Code) to include bear and elk in the provisions related to killing game or wildlife by mistake, and providing for restitution and clemency from license revocation.

ANALYSIS: HB 359 amends Title 34 (Game and Wildlife Code) Section 2306 (relating to killing game or wildlife by mistake) subsection (a) (relating to general rule) to include bear and elk in the mistaken kill provisions. The bill also amends subsection (b) (relating to restitution) to provide that restitution for mistakenly killing bear or elk will be \$100 for each animal killed.

The bill also amends Section 2742 (relating to period of revocation) by adding a new subsection (c) (relating to clemency from revocation) to provide that the commission may not revoke hunting privileges for the unlawful taking of game or wildlife if the following conditions are met:

- 1) The violation is the person's first unlawful taking or possession of game or wildlife offense.
- 2) The person follows the procedural requirements in statute concerning removal of entrails, tagging, reporting, delivery of carcass and providing a written, sworn statement.
- 3) The violation occurs during: an open season within the applicable wildlife management unit for the species involved; or a closed season within the applicable wildlife management unit for the species involved, but only if there was an open season within an adjacent wildlife management unit for the same species.
- 4) The person pleads guilty to the violation charged.
- 5) The violation does not involve a threatened or endangered species.
- 6) There are no relevant aggravating circumstances present concerning the violation.

Effective date: 60 days.

FISCAL IMPACT: Enactment of this legislation will have no adverse fiscal impact on Commonwealth funds.

PREPARED BY: Thomas Gwinn
House Appropriations Committee (R)

DATE: June 21, 2017

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.