

HOUSE BILL NO. HB0082

Game and fish-electronic licensing.

Sponsored by: Joint Travel, Recreation, Wildlife and
Cultural Resources Interim Committee

A BILL

for

1 AN ACT relating to game and fish; providing for electronic
2 licensing for hunting and fishing licenses, stamps and
3 tags; and providing for an effective date.

4

5 *Be It Enacted by the Legislature of the State of Wyoming:*

6

7 **Section 1.** W.S. 23-1-102(a) by creating a new
8 paragraph (xviii), 23-1-302(a)(xiv) and by creating a new
9 subsection (o), 23-1-701(b)(intro) and (c), 23-1-801,
10 23-2-101(f)(intro), (j)(intro) and (m), 23-2-107(e),
11 23-2-201(d)(intro), 23-2-301(c)(intro), 23-2-306(a)(intro),
12 23-2-307(b) and 23-3-403(a) are amended to read:

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14 **23-1-102. General definitions.**

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16 (a) As used in this act:

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23-1-302. Powers and duties.

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(a) The commission is directed and empowered:

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(xviii) "Electronic licensing" means a system for the issuance of licenses, stamps and tags as an alternative to issuing original paper licenses, stamps and tags. An electronic licensing system is a system in which the license, stamp or tag, or authorization therefore, is received through a point of sale terminal or through a computer and in which payment is made and accepted through an electronic transaction.

(xiv) To prescribe the requirements and form, including electronic licensing format, for the licenses, stamps and tags provided for in this act, to issue licenses, stamps and tags under the provisions of this act, including through electronic licensing, to make regulations for the sale and record of licenses, stamps and tags, including sale by electronic licensing, and to distribute licenses, ~~and~~ stamps, tags and electronic equipment and software programs associated with electronic licensing only

1 to persons authorized by the commission to issue ~~them~~
2 licenses, stamps or tags;

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4 (o) The commission shall, by rule and regulation,
5 establish an electronic licensing system and prescribe the
6 manner of payment for any electronic payment accepted by
7 the department. The commission may, by rule and regulation,
8 assess a fee for electronic payments in an amount
9 approximating the average cost of issuing electronic
10 licenses for all licenses. The fee charged under this
11 subsection shall be in addition to the amount otherwise
12 established by this act for the license, permit or stamp.
13 For purposes of facilitating the implementation of an
14 electronic licensing system, the commission may:

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16 (i) Enter into agreements with the state
17 treasurer to establish an electronic funds transfer system;

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19 (ii) Require license selling agents to authorize
20 an electronic funds transfer to a collection account as set
21 forth by commission rule and regulation;

22

23 (iii) Charge the license selling agent an
24 additional fee of not more than thirty dollars (\$30.00) for

1 each nonsufficient funds debit from the license selling
2 agent's account; and

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4 (iv) Promulgate all other necessary rules and
5 regulations to effectuate electronic licensing.

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7 **23-1-701. Selling agents; administration of oaths;**
8 **licenses, permits and game tags.**

9
10 (b) Each license selling agent shall charge a fee as
11 provided in this subsection for each license, permit or
12 stamp he sells or distributes pursuant to this act. The
13 fee shall not be charged if this act specifies that the
14 issuance shall be without fee or fails to establish a fee
15 for the issuance of the license, permit or stamp. Each
16 license, permit or stamp sold or distributed under this act
17 shall display the total amount only of all fees and other
18 charges required under this act. Each selling agent shall
19 retain one dollar and fifty cents (\$1.50) for each license
20 and fifty cents (\$.50) for each stamp or permit he sells.
21 For failure to comply with this section, selling agents
22 shall not be entitled to retain the amounts specified in
23 this subsection and shall be liable on their bond. No
24 employee of the commission shall receive any commission on

1 licenses, stamps or permits sold, but the department shall
2 charge the additional fee specified in this subsection, and
3 may charge an additional fee for electronic payments as
4 provided in W.S. 23-1-302(o) as authorized in commission
5 rule and regulation, for each license, stamp or permit sold
6 by commission employees. The fee charged under this
7 subsection shall be in addition to the amount otherwise
8 established by this act for the license, permit or stamp
9 and shall be as follows:

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11 (c) ~~On or before the 10th of each month~~ Every selling
12 agent shall file a report ~~for the preceding month~~ with the
13 commission ~~on forms approved~~ at such times and in such
14 manner as prescribed by ~~the~~ commission. ~~Selling agents~~
15 ~~shall also remit all money collected during the previous~~
16 ~~month less commission,~~ rule and shall account for ~~and~~
17 ~~deliver~~ all ~~surplus, unused and damaged~~ licenses, permits,
18 and stamps, ~~and stubs of licenses~~ received by the selling
19 agent to the commission.

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21 **23-1-801. Reciprocal fishing agreements with**
22 **adjoining states authorized; stamps for licenses.**

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1 The commission is authorized to enter into reciprocal
2 agreements with corresponding state officials of adjoining
3 states for purposes of providing for the licensing for
4 fishing of residents of this state and adjoining states
5 upon artificial impoundments of water forming the boundary
6 between this state and adjoining states. The agreements may
7 include provisions by which each state shall honor the
8 license of the other only when ~~there is affixed to the~~
9 ~~license a stamp~~ the licensee has purchased a stamp or
10 authorization signifying purchase of a stamp from the other
11 state, the charge for the stamp being set by mutual
12 agreement of the states.

13

14 **23-2-101. Fees; restrictions; nonresident application**
15 **fee; nonresident licenses; verification of residency**
16 **required.**

17

18 (f) Forty percent (40%) of available nonresident elk
19 licenses, forty percent (40%) of available nonresident deer
20 licenses and forty percent (40%) of available nonresident
21 antelope licenses for any one (1) calendar year shall as
22 established by the commission, be offered to nonresident
23 applicants upon receipt of the fee prescribed by this
24 subsection and the applicable fee under W.S. 23-1-302(o) as

1 authorized in commission rule and regulation. Seventy-five
2 (75) of the nonresident deer licenses set aside pursuant to
3 this subsection shall be used for a national bow hunt for
4 deer. The licenses authorized by this subsection shall be
5 offered by drawing to nonresident applicants prior to the
6 drawing for the remaining nonresident licenses issued. The
7 licenses offered under this subsection shall be issued in a
8 manner prescribed by rules and regulations promulgated by
9 the commission. Nothing in this subsection shall prohibit
10 any unsuccessful applicant for a nonresident license
11 pursuant to this subsection from submitting an application
12 for any licenses remaining after the drawing during the
13 calendar year in which the application under this
14 subsection was submitted. The following fees shall be
15 collected by the department and are in addition to the
16 nonresident license fee for the appropriate big game
17 species imposed under subsection (j) of this section and
18 the application fee imposed under subsection (e) of this
19 section:

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21 (j) Subject to W.S. 23-2-101(f) and the applicable
22 ~~fee~~fees under W.S. 23-1-701 and 23-1-302(o) as authorized
23 in commission rule and regulation, the following hunting

1 licenses and tags may be purchased for the fee indicated
2 and subject to the limitations provided:

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4 (m) Subject to the provisions of this subsection, as
5 part of any preference point program for nonresident
6 antelope, nonresident bighorn sheep, nonresident moose,
7 nonresident deer or nonresident elk, the commission may
8 establish a nonrefundable fee to be ~~retained~~either
9 withheld from the license fee remitted or submitted
10 separately when application for a license or preference
11 point is made through electronic licensing, and may also
12 establish a fee to be paid in lieu of applying for licenses
13 that are limited in quota. Retention of the established
14 fee or payment of the fee in lieu of applying shall
15 authorize the person to accumulate a preference point for
16 future drawings for licenses that are limited in quota for
17 the applicable species in accordance with rules of the
18 commission. The rules may provide for the loss of all
19 accumulated points for persons failing to apply or to pay
20 the in lieu fee in two (2) consecutive calendar years. The
21 fee for any program under this subsection for antelope,
22 deer or elk shall be established by rule and shall not
23 exceed fifty dollars (\$50.00) per species. Payment of the
24 fee shall be made in compliance with application dates.

1 Nothing in this subsection authorizes the commission to
2 establish or retain a fee for resident moose or resident
3 bighorn sheep license preference points in addition to the
4 fee established by subsection (k) of this section or to
5 establish rules for bighorn sheep or moose preference point
6 drawings in conflict with the provisions of W.S.
7 23-1-703(b). For nonresident bighorn sheep and nonresident
8 moose licenses, the commission may establish by rule a
9 nonrefundable preference point fee to be ~~retained~~withheld
10 from either the license fee remitted or submitted
11 separately when application for a license or preference
12 point is made through electronic licensing and may
13 establish a fee in lieu of making application in an amount
14 greater than that established under subsection (k) of this
15 section, but neither fee shall exceed one hundred dollars
16 (\$100.00). Fees established under this subsection may be
17 set at lower amounts for youth license applicants.

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19 **23-2-107. Wild bison licenses.**

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21 (e) A resident applicant shall pay a license fee of
22 three hundred thirty dollars (\$330.00) and shall pay the
23 fee required by W.S. 23-2-101(e). A nonresident applicant
24 shall pay a license fee of two thousand one hundred dollars

1 (\$2,100.00) and shall pay the fee required by W.S.
2 23-2-101(e). The ~~fee~~fees charged under W.S. 23-1-701 and
3 23-1-302(o) as authorized in commission rule and regulation
4 shall be in addition to the fee imposed under this
5 subsection.

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7 **23-2-201. Fees; restrictions; verification of**
8 **residency required.**

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10 (d) The following fishing licenses may be purchased
11 for the fee indicated in addition to the applicable ~~fee~~
12 fees under W.S. 23-1-701 and 23-1-302(o) as authorized in
13 commission rule and regulation and subject to the
14 limitations provided:

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16 **23-2-301. Miscellaneous fees; verification of**
17 **residency required.**

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19 (c) The following licenses and tags may be purchased
20 for the fee indicated in addition to the applicable ~~fee~~
21 fees under W.S. 23-1-701 and 23-1-302(o) as authorized in
22 commission rule and regulation and subject to other
23 requirements of this article:

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1 **23-2-306. Conservation stamp; exemptions.**

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3 (a) Subject to subsection (b) of this section and the
4 applicable ~~fee~~fees under W.S. 23-1-701 and 23-1-302(o) as
5 authorized in commission rule and regulation, each
6 sportsman licensed under W.S. 23-2-101, 23-2-107 or
7 23-2-201 shall purchase a single conservation stamp for ten
8 dollars (\$10.00) which shall be valid for one (1) calendar
9 year and the stamp or an authorization signifying purchase
10 of the stamp shall be in the possession of any person
11 exercising rights under any fishing or hunting license
12 issued pursuant to W.S. 23-2-101, 23-2-107 or 23-2-201.
13 Holders of pioneer licenses as defined under W.S.
14 23-1-705(d) and (e), of special limited fishing permits
15 issued under W.S. 23-2-207 and holders of licenses only
16 under W.S. 23-2-101(j) (v) and (vi), 23-2-201(d) (vi) and
17 (vii) and 23-2-201(f) are exempt from the provisions of
18 this section. Revenues collected from the sale of each
19 stamp under this subsection shall be deposited as follows:

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21 **23-2-307. Special management permit.**

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23 (b) Special management permits may be purchased from
24 the department or its authorized selling agents for ten

1 dollars (\$10.00) plus the applicable ~~fee~~fees under W.S.
2 23-1-701 and 23-1-302(o) as authorized in commission rule
3 and regulation and shall be valid for one (1) calendar
4 year.

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6 **23-3-403. False swearing, fraud or false statement**
7 **prohibited.**

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9 (a) No person shall procure or attempt to procure any
10 license or tag under this act, either by manual application
11 or by electronic licensing, by false swearing, fraud, or
12 false statement of any kind or in any form. Any person
13 using a key encryption or other identification procedure in
14 place of a manual or facsimile signature for any license,
15 stamp or permit, or application for the same, under this
16 act shall be subject to the same civil and criminal
17 penalties applicable to persons providing a manual or
18 facsimile signature.

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1 **Section 2.** This act is effective immediately upon
2 completion of all acts necessary for a bill to become law
3 as provided by Article 4, Section 8 of the Wyoming
4 Constitution.

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(END)