

SENATE FILE NO. SF0030

Landowner game damage payments.

Sponsored by: Senator(s) Hanes and Representative(s)
Illoway

A BILL

for

1 AN ACT relating to game damage payments; prohibiting
2 payment for damages by big game animals unless hunting
3 access is allowed free of charge; and providing for an
4 effective date.

5

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

7

8 **Section 1.** W.S. 23-1-901(c) is amended to read:

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10 **23-1-901. Owner of damaged property to report damage;**
11 **claims for damages; time for filing; determination; appeal;**
12 **arbitration.**

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14 (c) The department shall consider the claims based
15 upon a description of the livestock or bees damaged or
16 killed by a trophy game animal, the damaged land, growing

1 cultivated crops, stored crops including honey and hives,
2 seed crops, improvements and extraordinary damage to grass.
3 The commission is authorized to establish by rule, methods,
4 factors and formulas to be used for determining the amount
5 to compensate any landowner, lessee or agent for livestock
6 damaged as a result of, missing as a result of, or killed
7 by trophy game animals. Claims shall be investigated by
8 the department and rejected or allowed within ninety (90)
9 days after submission, and paid in the amount determined to
10 be due. In the event the department fails to act within
11 ninety (90) days, the claim, including interest based on
12 local bank preferred rates, shall be deemed to have been
13 allowed. No award for damages by big game animals shall be
14 allowed to any landowner who has not permitted hunting free
15 of charge on his property during authorized hunting seasons
16 and no award for damages by trophy game animals shall be
17 allowed to any landowner who has not permitted hunting on
18 his property during authorized hunting seasons. Any person
19 failing to comply with any provision of this section is
20 barred from making any claim against the department for
21 damages. Any claimant aggrieved by the decision of the
22 department may appeal to the commission within thirty (30)
23 days after receipt of the decision of the department as
24 provided by rules of practice and procedure promulgated by

1 the commission. The commission shall review the department
2 decision at its next meeting following receipt of notice of
3 request for review. The commission shall review the
4 investigative report of the department, and it may approve,
5 modify or reverse the decision of the department.

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7 **Section 2.** This act is effective July 1, 2006.

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9

(END)