

As Passed by the Senate

**124th General Assembly
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Sub. H. B. No. 493

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**SENATORS Mumper, Carnes, Shoemaker, DiDonato, Harris, Robert Gardner,
Herington, Hottinger, Nein, Spada, Wachtmann, Ryan, White**

A B I L L

To amend sections 1531.01, 1533.05, 1533.07, 1533.121, 1
1533.73, and 1533.731, to enact section 1531.101, 2
and to repeal sections 1531.021 and 1531.022 of the 3
Revised Code to eliminate the special requirements 4
governing Sunday hunting, to authorize the adoption 5
of rules governing the hunting of migratory game 6
birds, and to revise the law governing the 7
disposition of deer killed by motor vehicles. 8
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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 1531.01, 1533.05, 1533.07, 1533.121, 10
1533.73, and 1533.731 be amended and section 1531.101 of the 11
Revised Code be enacted to read as follows: 12

Sec. 1531.01. As used in this chapter and Chapter 1533. of 13
the Revised Code: 14

(A) "Person" means individual, company, partnership, 15
corporation, municipal corporation, association, or any 16
combination of individuals, or any employee, agent, or officer 17
thereof. 18

(B) "Resident" means any individual who has resided in this 19
state for not less than six months next preceding the date of 20
making application for a license. 21

(C) "Nonresident" means any individual who does not qualify 22
as a resident. 23

(D) "Division rule" or "rule" means any rule adopted by the 24
chief of the division of wildlife under section 1531.10 of the 25
Revised Code unless the context indicates otherwise. 26

(E) "Closed season" means that period of time during which 27
the taking of wild animals protected by this chapter and Chapter 28
1533. of the Revised Code is prohibited. 29

(F) "Open season" means that period of time during which the 30
taking of wild animals protected by this chapter and Chapter 1533. 31
of the Revised Code is permitted. 32

(G) "Take or taking" includes pursuing, shooting, hunting, 33
killing, trapping, angling, fishing with a trotline, or netting 34
any clam, mussel, crayfish, aquatic insect, fish, frog, turtle, 35
wild bird, or wild quadruped, and any lesser act, such as 36
wounding, or placing, setting, drawing, or using any other device 37
for killing or capturing any wild animal, whether it results in 38
killing or capturing the animal or not. "Take or taking" includes 39
every attempt to kill or capture and every act of assistance to 40
any other person in killing or capturing or attempting to kill or 41
capture a wild animal. 42

(H) "Possession" means both actual and constructive possession and any control of things referred to.	43 44
(I) "Bag limit" means the number, measurement, or weight of any kind of crayfish, aquatic insects, fish, frogs, turtles, wild birds, and wild quadrupeds permitted to be taken.	45 46 47
(J) "Transport and transportation" means carrying or moving or causing to be carried or moved.	48 49
(K) "Sell and sale" means barter, exchange, or offer or expose for sale.	50 51
(L) "Whole to include part" means that every provision relating to any wild animal protected by this chapter and Chapter 1533. of the Revised Code applies to any part of the wild animal with the same effect as it applies to the whole.	52 53 54 55
(M) "Angling" means fishing with not more than two hand lines, not more than two units of rod and line, or a combination of not more than one hand line and one rod and line, either in hand or under control at any time while fishing. The hand line or rod and line shall have attached to it not more than three baited hooks, not more than three artificial fly rod lures, or one artificial bait casting lure equipped with not more than three sets of three hooks each.	56 57 58 59 60 61 62 63
(N) "Trotline" means a device for catching fish that consists of a line having suspended from it, at frequent intervals, vertical lines with hooks attached.	64 65 66
(O) "Fish" means a cold-blooded vertebrate having fins.	67
(P) "Measurement of fish" means length from the end of the nose to the longest tip or end of the tail.	68 69
(Q) "Wild birds" includes game birds and nongame birds.	70
(R) "Game" includes game birds, game quadrupeds, and fur-bearing animals.	71 72

(S) "Game birds" includes mourning doves, ringneck pheasants, 73
bobwhite quail, ruffed grouse, sharp-tailed grouse, pinnated 74
grouse, wild turkey, Hungarian partridge, Chukar partridge, 75
woodcocks, black-breasted plover, golden plover, Wilson's snipe or 76
jacksnipe, greater and lesser yellowlegs, rail, coots, gallinules, 77
duck, geese, brant, and crows. 78

(T) "Nongame birds" includes all other wild birds not 79
included and defined as game birds. 80

(U) "Wild quadrupeds" includes game quadrupeds and 81
fur-bearing animals. 82

(V) "Game quadrupeds" includes cottontail rabbits, gray 83
squirrels, black squirrels, fox squirrels, red squirrels, flying 84
squirrels, chipmunks, groundhogs or woodchucks, white-tailed deer, 85
wild boar, and black bears. 86

(W) "Fur-bearing animals" includes minks, weasels, raccoons, 87
skunks, opossums, muskrats, fox, beavers, badgers, otters, 88
coyotes, and bobcats. 89

(X) "Wild animals" includes mollusks, crustaceans, aquatic 90
insects, fish, reptiles, amphibians, wild birds, wild quadrupeds, 91
and all other wild mammals, but does not include domestic deer. 92

(Y) "Hunting" means pursuing, shooting, killing, following 93
after or on the trail of, lying in wait for, shooting at, or 94
wounding wild birds or wild quadrupeds while employing any device 95
commonly used to kill or wound wild birds or wild quadrupeds 96
whether or not the acts result in killing or wounding. "Hunting" 97
includes every attempt to kill or wound and every act of 98
assistance to any other person in killing or wounding or 99
attempting to kill or wound wild birds or wild quadrupeds. 100

(Z) "Trapping" means securing or attempting to secure 101
possession of a wild bird or wild quadruped by means of setting, 102
placing, drawing, or using any device that is designed to close 103

upon, hold fast, confine, or otherwise capture a wild bird or wild
quadruped whether or not the means results in capture. "Trapping"
includes every act of assistance to any other person in capturing
wild birds or wild quadrupeds by means of the device whether or
not the means results in capture.

(AA) "Muskrat spear" means any device used in spearing
muskrats.

(BB) "Channels and passages" means those narrow bodies of
water lying between islands or between an island and the mainland
in Lake Erie.

(CC) "Island" means a rock or land elevation above the waters
of Lake Erie having an area of five or more acres above water.

(DD) "Reef" means an elevation of rock, either broken or in
place, or gravel shown by the latest United States chart to be
above the common level of the surrounding bottom of the lake,
other than the rock bottom, or in place forming the base or
foundation rock of an island or mainland and sloping from the
shore of it. "Reef" also means all elevations shown by that chart
to be above the common level of the sloping base or foundation
rock of an island or mainland, whether running from the shore of
an island or parallel with the contour of the shore of an island
or in any other way and whether formed by rock, broken or in
place, or from gravel.

(EE) "Fur farm" means any area used exclusively for raising
fur-bearing animals or in addition thereto used for hunting game,
the boundaries of which are plainly marked as such.

(FF) "Waters" includes any lake, pond, reservoir, stream,
channel, lagoon, or other body of water, or any part thereof,
whether natural or artificial.

(GG) "Crib" or "car" refers to that particular compartment of

the net from which the fish are taken when the net is lifted. 135

(HH) "Commercial fish" means those species of fish permitted 136
to be taken, possessed, bought, or sold unless otherwise 137
restricted by the Revised Code or division rule and are alewife 138
(*Alosa pseudoharengus*), American eel (*Anguilla rostrata*), bowfin 139
(*Amia calva*), burbot (*Lota lota*), carp (*Cyprinus carpio*), 140
smallmouth buffalo (*Ictiobus bubalus*), bigmouth buffalo (*Ictiobus* 141
cyprinellus), black bullhead (*Ictalurus melas*), yellow bullhead 142
(*Ictalurus natalis*), brown bullhead (*Ictalurus nebulosus*), channel 143
catfish (*Ictalurus punctatus*), flathead catfish (*Pylodictis* 144
olivaris), whitefish (*Coregonus* sp.), cisco (*Coregonus* sp.), 145
freshwater drum or sheepshead (*Aplodinotus grunniens*), gar 146
(*Lepisosteus* sp.), gizzard shad (*Dorosoma cepedianum*), goldfish 147
(*Carassius auratus*), lake trout (*Salvelinus namaycush*), mooneye 148
(*Hiodon tergisus*), quillback (*Carpiodes cyprinus*), smelt 149
(*Allosmerus elongatus*, *Hypomesus* sp., *Osmerus* sp., *Spirinchus* 150
sp.), sturgeon (*Acipenser* sp., *Scaphirhynchus* sp.), sucker other 151
than buffalo and quillback (*Carpiodes* sp., *Catostomus* sp., 152
Hypentelium sp., *Minytrema* sp., *Moxostoma* sp.), white bass (*Morone* 153
chrysops), white perch (*Roccus americanus*), and yellow perch 154
(*Perca flavescens*). When the common name of a fish is used in this 155
chapter or Chapter 1533. of the Revised Code, it refers to the 156
fish designated by the scientific name in this definition. 157

(II) "Fishing" means taking or attempting to take fish by any 158
method, and all other acts such as placing, setting, drawing, or 159
using any device commonly used to take fish whether resulting in a 160
taking or not. 161

(JJ) "Fillet" means the pieces of flesh taken or cut from 162
both sides of a fish, joined to form one piece of flesh. 163

(KK) "Part fillet" means a piece of flesh taken or cut from 164
one side of a fish. 165

(LL) "Round" when used in describing fish means with head and tail intact. 166
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(MM) "Migrate" means the transit or movement of fish to or from one place to another as a result of natural forces or instinct and includes, but is not limited to, movement of fish induced or caused by changes in the water flow. 168
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(NN) "Spreader bar" means a brail or rigid bar placed across the entire width of the back, at the top and bottom of the cars in all trap, crib, and fyke nets for the purpose of keeping the meshes hanging squarely while the nets are fishing. 172
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(OO) "Fishing guide" means any person who, for consideration or hire, operates a boat, rents, leases, or otherwise furnishes angling devices, ice fishing shanties or shelters of any kind, or other fishing equipment, and accompanies, guides, directs, or assists any other person in order for the other person to engage in fishing. 176
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(PP) "Net" means fishing devices with meshes composed of twine or synthetic material and includes, but is not limited to, trap nets, fyke nets, crib nets, carp aprons, dip nets, and seines, except minnow seines and minnow dip nets. 182
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(QQ) "Commercial fishing gear" means seines, trap nets, fyke nets, dip nets, carp aprons, trotlines, other similar gear, and any boat used in conjunction with that gear, but does not include gill nets. 186
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(RR) "Native wildlife" means any species of the animal kingdom indigenous to this state. 190
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(SS) "Gill net" means a single section of fabric or netting seamed to a float line at the top and a lead line at the bottom, which is designed to entangle fish in the net openings as they swim into it. 192
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(TT) "Tag fishing tournament" means a contest in which a participant pays a fee, or gives other valuable consideration, for a chance to win a prize by virtue of catching a tagged or otherwise specifically marked fish within a limited period of time, but does not include a scheme of chance conducted under division (D)(1) of section 2915.02 of the Revised Code.

(UU) "Tenant" means an individual who resides on land for which the individual pays rent and whose annual income is primarily derived from agricultural production conducted on that land, as "agricultural production" is defined in section 929.01 of the Revised Code.

(VV) "Nonnative wildlife" means any wild animal not indigenous to this state, but does not include domestic deer.

(WW) "Reptiles" includes common musk turtle (*sternotherus odoratus*), common snapping turtle (*Chelydra serpentina serpentina*), spotted turtle (*Clemmys guttata*), eastern box turtle (*Terrapene carolina carolina*), Blanding's turtle (*Emydoidea blandingii*), common map turtle (*Graptemys geographica*), ouachita map turtle (*Graptemys pseudogeographica ouachitensis*), midland painted turtle (*Chrysemys picta marginata*), red-eared slider (*Trachemys scripta elegans*), eastern spiny softshell turtle (*Apalone spinifera spinifera*), midland smooth softshell turtle (*Apalone mutica mutica*), northern fence lizard (*Sceloporus undulatus hyacinthinus*), ground skink (*Scincella lateralis*), five-lined skink (*Eumeces fasciatus*), broadhead skink (*Eumeces laticeps*), northern coal skink (*Eumeces anthracinus anthracinus*), European wall lizard (*Podarcis muralis*), queen snake (*Regina septemvittata*), Kirtland's snake (*Clonophis kirtlandii*), northern water snake (*Nerodia sipedon sipedon*), Lake Erie watersnake (*Nerodia sipedon insularum*), copperbelly water snake (*Nerodia erythrogaster neglecta*), northern brown snake (*Storeria dekayi dekayi*), midland brown snake (*Storeria dekayi wrightorum*),

northern redbelly snake (<i>Storeria occipitomaculata</i>	228
occipitomaculata), eastern garter snake (<i>Thamnophis sirtalis</i>	229
<i>sirtalis</i>), eastern plains garter snake (<i>Thamnophis radix radix</i>),	230
Butler's garter snake (<i>Thamnophis butleri</i>), shorthead garter snake	231
(<i>Thamnophis brachystoma</i>), eastern ribbon snake (<i>Thamnophis</i>	232
<i>sauritus sauritus</i>), northern ribbon snake (<i>Thamnophis sauritus</i>	233
<i>septentrionalis</i>), eastern hognose snake (<i>Heterodon platirhinos</i>),	234
eastern smooth earth snake (<i>Virginia valeriae valeriae</i>), northern	235
ringneck snake (<i>Diadophis punctatus edwardsii</i>), midwest worm snake	236
(<i>Carphophis amoenus helenae</i>), eastern worm snake (<i>Carphophis</i>	237
<i>amoenus amoenus</i>), black racer (<i>Coluber constrictor constrictor</i>),	238
blue racer (<i>Coluber constrictor foxii</i>), rough green snake	239
(<i>Opheodrys aestivus</i>), smooth green snake (<i>Opheodrys vernalis</i>	240
<i>vernalis</i>), black rat snake (<i>Elaphe obsoleta obsoleta</i>), eastern fox	241
snake (<i>Elaphe vulpina gloydi</i>), black kingsnake (<i>Lampropeltis</i>	242
<i>getula nigra</i>), eastern milk snake (<i>Lampropeltis triangulum</i>	243
<i>triangulum</i>), northern copperhead (<i>Agkistrodon contortrix mokasen</i>),	244
eastern massasauga (<i>Sistrurus catenatus catenatus</i>), and timber	245
rattlesnake (<i>Crotalus horridus horridus</i>).	246
(XX) "Amphibians" includes eastern hellbender (<i>Cryptobranchus</i>	247
<i>alleganiensis alleganiensis</i>), mudpuppy (<i>Necturus maculosus</i>	248
<i>maculosus</i>), red-spotted newt (<i>Notophthalmus viridescens</i>	249
<i>viridescens</i>), Jefferson salamander (<i>Ambystoma jeffersonianum</i>),	250
spotted salamander (<i>Ambystoma maculatum</i>), blue-spotted salamander	251
(<i>Ambystoma laterale</i>), smallmouth salamander (<i>Ambystoma texanum</i>),	252
streamside salamander (<i>Ambystoma barbouri</i>), marbled salamander	253
(<i>Ambystoma opacum</i>), eastern tiger salamander (<i>Ambystoma tigrinum</i>	254
<i>tigrinum</i>), northern dusky salamander (<i>Desmognathus fuscus fuscus</i>),	255
mountain dusky salamander (<i>Desmognathus ochrophaeus</i>), redback	256
salamander (<i>Plethodon cinereus</i>), ravine salamander (<i>Plethodon</i>	257
<i>richmondi</i>), northern slimy salamander (<i>Plethodon glutinosus</i>),	258
Wehrle's salamander (<i>Plethodon wehrlei</i>), four-toed salamander	259

(Hemidactylium scutatum), Kentucky spring salamander (Gyrinophilus porphyriticus duryi), northern spring salamander (Gyrinophilus porphyriticus porphyriticus), mud salamander (Pseudotriton montanus), northern red salamander (Pseudotriton ruber ruber), green salamander (Aneides aeneus), northern two-lined salamander (Eurycea bislineata), longtail salamander (Eurycea longicauda longicauda), cave salamander (Eurycea lucifuga), southern two-lined salamander (Eurycea cirrigera), Fowler's toad (Bufo woodhousii fowleri), American toad (Bufo americanus), eastern spadefoot (Scaphiopus holbrookii), Blanchard's cricket frog (Acris crepitans blanchardi), northern spring peeper (Pseudacris crucifer crucifer), gray treefrog (Hyla versicolor), Cope's gray treefrog (Hyla chrysoscelis), western chorus frog (Pseudacris triseriata triseriata), mountain chorus frog (Pseudacris brachyphona), bullfrog (Rana catesbeiana), green frog (Rana clamitans melanota), northern leopard frog (Rana pipiens), pickerel frog (Rana palustris), southern leopard frog (Rana utricularia), and wood frog (Rana sylvatica).

(YY) "Deer" means white-tailed deer (Odocoileus virginianus).

(ZZ) "Domestic deer" means nonnative deer that have been legally acquired or their offspring and that are held in private ownership for primarily agricultural purposes.

(AAA) "Migratory game bird" includes waterfowl (Anatidae); doves (Columbidae); cranes (Gruidae); rails, coots, and gallinules (Rallidae); and woodcock and snipe (Scolopacidae).

Sec. 1531.101. In addition to any other authority conferred on the chief of the division of wildlife, the chief may adopt rules under section 111.15 of the Revised Code that are necessary to establish acceptable methods of taking migratory game birds together with bag limits and designated seasons, areas, and hours

for hunting them. 291

Sec. 1533.05. (A) As used in this section and section 292
1533.051 of the Revised Code, "raptor" means a live migratory bird 293
of the family Falconidae or of the family Accipitridae other than 294
a bald eagle (*Haliaeetus leucocephalus*). 295

(B) The chief of the division of wildlife may authorize the 296
taking, possession, and transportation of raptors for use in the 297
sport of falconry by rules adopted pursuant to section 1531.08 of 298
the Revised Code. The rules shall be consistent with federal 299
regulations governing raptors and may authorize the taking of game 300
by the use of raptors, including taking with a trained raptor and 301
a dog. 302

The chief, by rules adopted pursuant to section 1531.08 of 303
the Revised Code, may do all of the following: 304

(1) Notwithstanding any other rule governing the taking of 305
quail, authorize a person engaged in the sport of falconry to 306
permit the person's raptor to take quail; 307

(2) ~~Authorize a person engaged in the sport of falconry to 308
permit the person's raptor to take game on Sunday within legal 309
seasons;~~ 310

~~(3) Authorize special falconry seasons;~~ 311

~~(4)~~(3) Authorize a person engaged in the sport of falconry to 312
possess and to permit the person's raptor to take European 313
starlings, English sparrows, and common pigeons, other than homing 314
pigeons, at any time. 315

(C) No person shall take, possess, or transport a raptor for 316
use in the sport of falconry or shall practice falconry without a 317
permit to do so issued by the chief. The duration of the permit 318
shall be consistent with applicable federal requirements. The 319

chief may require a separate permit for the taking of raptors. 320

The fees for permits shall be set by the chief in amounts 321
sufficient to cover the expenses of the division of wildlife in 322
exercising its authority under this section and may vary according 323
to class and type of permit. Moneys received from the sale of 324
permits shall be paid into the state treasury to the credit of the 325
fund established in section 1533.15 of the Revised Code. 326

An applicant for a permit shall present a valid hunting 327
license issued to the applicant for the current license year under 328
section 1533.13 of the Revised Code and shall maintain a valid and 329
current hunting license thereafter while taking or attempting to 330
take game or raptors to be used for falconry purposes. A permit 331
issued under this section is not transferable. No person shall 332
carry a permit issued in the name of another person. 333

(D) Every person, while engaged in falconry on the lands of 334
another, shall carry the permit issued to the person under this 335
section together with a valid hunting license issued to the person 336
for the current license year under section 1533.13 of the Revised 337
Code and shall exhibit the permit and license to any law 338
enforcement officer requesting to see them. 339

(E) Notwithstanding any other provision of this section, of 340
any rule adopted by the chief governing falconry, or of any 341
federal regulation governing raptors, no person shall take or 342
disturb for the purpose of falconry the nest of a wild raptor or 343
any young raptor in the wild that is not yet capable of flight 344
except in such situations, and under the direct supervision of a 345
wildlife officer, where the nest otherwise would be destroyed or 346
the raptor would not survive. 347

Sec. 1533.07. No person shall catch, kill, injure, pursue, or 348
have in the person's possession, either dead or alive, or 349
purchase, expose for sale, transport, or ship to a point within or 350

without the state, or receive or deliver for transportation any 351
bird other than a game bird, or have in the person's possession 352
any part of the plumage, skin, or body of any bird other than a 353
game bird, except as permitted in Chapter 1531. and this chapter 354
of the Revised Code, or disturb or destroy the eggs, nest, or 355
young of such a bird. 356

This section does not prohibit the lawful taking, killing, 357
pursuing, or possession of any game bird during the open season 358
for the bird. Hawks or owls causing damage to domestic animals or 359
fowl may be killed by the owner of the domestic animal or fowl 360
while the damage is occurring. Bald or golden eagles and ospreys 361
shall not be killed or possessed at any time, except that eagles 362
or ospreys may be possessed for educational purposes by 363
governmental or municipal zoological parks, museums, and 364
scientific or educational institutions. European starlings, 365
English sparrows, and common pigeons, other than homing pigeons, 366
may be killed at any time, ~~except as provided in section 1531.021~~ 367
~~of the Revised Code,~~ and their nests or eggs may be destroyed, at 368
any time. Blackbirds may be killed at any time, ~~except as provided~~ 369
~~in section 1531.021 of the Revised Code,~~ when doing damage to 370
grain or other property or when they become a nuisance. 371

Each bird or any part thereof taken or had in possession 372
contrary to this section constitutes a separate offense. 373

Sec. 1533.121. Except as otherwise provided by division rule, 374
the ~~resident~~ driver of every motor vehicle that has caused the 375
death of a deer by striking the deer on a highway may take 376
possession of the deer, provided that within twenty-four hours 377
thereafter, ~~he~~ the driver reports the accident to a wildlife 378
officer or other law enforcement officer. The officer shall 379
investigate, and, if ~~he~~ the officer finds the death has been 380
caused as alleged, ~~he~~ the officer shall give a certificate for 381
legal ownership of the deer to the ~~person entitling the person to~~ 382

~~the ownership of the carcass to be possessed and consumed by the driver and the immediate family of the driver of the vehicle or by giving the carcass. If the deer is unclaimed, the certificate for legal ownership may be given to a private or public institution or charity or to another person.~~

Sec. 1533.73. (A) Except as otherwise provided in this division or by division rule, licensed commercial bird shooting preserves may be established in any county of the state, but no such preserve shall be less than eighty acres or more than six hundred forty acres in area. A commercial bird shooting preserve shall be in one continuous block of land, except that the block of land may be intersected by highways or roads. No commercial bird shooting preserve shall be located within fifteen hundred feet of any other such preserve.

A licensed commercial bird shooting preserve operated by a municipal corporation on lands located within its corporate limits is not subject to this division.

(B) The boundaries of each licensed commercial bird shooting preserve shall be clearly defined by posting, at intervals of not more than two hundred feet, with signs prescribed by the division of wildlife.

(C) Mallard or black ducks and other game birds upon which there is an open season in this state, which the chief of the division may approve for such use, and that have been legally acquired or propagated under the authority of a propagating license issued under section 1533.71 of the Revised Code and marked and banded as provided in division (D) of this section may be released and harvested by shooting within the confines of any licensed commercial bird shooting preserve between sunrise and sunset, without regard to sex, daily bag limit, or open season, ~~and including Sundays,~~ by licensed hunters authorized by the

holder of the commercial bird shooting preserve license to hunt on those lands.

(D) All game birds released on a licensed commercial bird shooting preserve shall first be banded with a leg band that shall bear upon it a symbol identifying the commercial bird shooting preserve. No game birds shall be possessed or transported outside the licensed area unless each such bird is tagged with a suitable tag or seal supplied by the division.

(E) The holder of a commercial bird shooting preserve license shall raise, or purchase, and release on the licensed commercial bird shooting preserve at least five hundred pheasants annually. With the approval of the chief, the license holder may raise, or purchase, and release, in lieu of pheasants, a like number of other game birds. No person shall fail to release the required number of game birds on a licensed commercial bird shooting preserve as required by this division.

(F) The holder of a commercial bird shooting preserve license is not liable for any damage to or destruction of growing crops on land adjacent to the preserve caused by game birds released on the preserve.

(G) No holder of a commercial bird shooting preserve license shall violate this chapter or Chapter 1531. of the Revised Code or any division rule.

Sec. 1533.731. (A) No wild animal hunting preserve shall be less than eighty acres in area. Each such preserve shall be in one continuous block of land, except that the block of land may be intersected by highways or roads. No wild animal hunting preserve shall be located within three thousand feet of another such preserve or of a commercial bird shooting preserve licensed under section 1533.72 of the Revised Code.

The boundaries of each wild animal hunting preserve shall be

clearly defined by posting, at intervals of not more than two
hundred feet, with signs prescribed by the division of wildlife.
Each wild animal hunting preserve shall be surrounded by a fence
at least six feet in height that is constructed of a woven wire
mesh, or such other enclosure approved by the chief of the
division of wildlife.

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(B)(1) Except as provided in divisions (B)(2) and (3) of this
section, game and nonnative wildlife that have been approved by
the chief for such use, that have been legally acquired or
propagated under the authority of a propagating license issued
under section 1533.71 of the Revised Code, and that are marked and
tagged as provided in division (C) of this section may be released
and hunted within the confines of the licensed wild animal hunting
preserve between sunrise and sunset, without regard to sex, bag
limit, or open season, ~~and including Sundays~~, by licensed hunters
authorized by the holder of the wild animal hunting preserve
license to hunt on those lands. The chief shall establish, by
rule, the allowable methods of taking game and nonnative wildlife
in a wild animal hunting preserve.

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(2) No game or nonnative wildlife on the federal endangered
species list established in accordance with the "Endangered
Species Act of 1973," 87 Stat. 884, 16 U.S.C.A. 1531, as amended,
or the state endangered species list established in rules adopted
under section 1531.25 of the Revised Code, no bears native to
North America, and no large carnivores of the family Felidae shall
be released for hunting or hunted in any wild animal hunting
preserve in this state.

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(3) No person shall release for hunting or hunt within a wild
animal hunting preserve any game or nonnative wildlife not listed
in the application for a license for that preserve.

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(C) All game and nonnative wildlife released on a wild animal
hunting preserve shall be identified with a tag that shall bear

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upon it a symbol identifying the preserve. 477

(D) For the purposes of division (B) of section 1533.02 of 478
the Revised Code, the owner or operator of a wild animal hunting 479
preserve shall furnish each person who takes any game or nonnative 480
wildlife from the preserve a certificate bearing a description of 481
the animal, the date the animal was taken, and the name of the 482
preserve. 483

(E) The chief shall adopt rules under section 1531.10 of the 484
Revised Code that provide for the safety of the public and for the 485
protection of the game and nonnative wildlife to be hunted in a 486
wild animal hunting preserve prior to their release in the 487
preserve. 488

(F) No holder of a wild animal hunting preserve license shall 489
violate Chapter 1531. or this chapter of the Revised Code or any 490
division rule. 491

(G) This section does not authorize the hunting of game birds 492
in a licensed wild animal hunting preserve. 493

Section 2. That existing sections 1531.01, 1533.05, 1533.07, 494
1533.121, 1533.73, and 1533.731 and sections 1531.021 and 1531.022 495
of the Revised Code are hereby repealed. 496