

**As Reported by the House Agriculture and Natural Resources
Committee**

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H. B. No. 199

Representatives Burkley, Hackett

**Cosponsors: Representatives Adams, J., Buchy, Beck, Brenner, Brown,
Derickson, Hayes, Hill, Johnson, Smith, Stebelton, Thompson, Wachtmann,
Bishoff, Cera**

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A B I L L

To amend sections 1531.01 and 1533.121 of the Revised Code to add feral hogs to the game list and to allow the possession of any wild turkey, wild boar, or feral hog that is struck and killed by the driver of a motor vehicle.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 1531.01 and 1533.121 of the Revised Code be amended to read as follows:

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

(A) "Person" means a person as defined in section 1.59 of the Revised Code or a company; an employee, agent, or officer of such a person or company; a combination of individuals; the state; a political subdivision of the state; an interstate body created by a compact; or the federal government or a department, agency, or instrumentality of it.

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

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

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

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

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

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

(H) "Possession" means both actual and constructive possession and any control of things referred to.

(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.

(J) "Transport and transportation" means carrying or moving

or causing to be carried or moved.	46
(K) "Sell and sale" means barter, exchange, or offer or expose for sale.	47 48
(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.	49 50 51 52
(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.	53 54 55 56 57 58 59 60
(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.	61 62 63
(O) "Fish" means a cold-blooded vertebrate having fins.	64
(P) "Measurement of fish" means length from the end of the nose to the longest tip or end of the tail.	65 66
(Q) "Wild birds" includes game birds and nongame birds.	67
(R) "Game" includes game birds, game quadrupeds, and fur-bearing animals.	68 69
(S) "Game birds" includes mourning doves, ringneck pheasants, bobwhite quail, ruffed grouse, sharp-tailed grouse, pinnated grouse, wild turkey, Hungarian partridge, Chukar partridge, woodcocks, black-breasted plover, golden plover, Wilson's snipe or jacksnipe, greater and lesser yellowlegs, rail, coots, gallinules, duck, geese, brant, and crows.	70 71 72 73 74 75

(T) "Nongame birds" includes all other wild birds not included and defined as game birds or migratory game birds.	76 77
(U) "Wild quadrupeds" includes game quadrupeds and fur-bearing animals.	78 79
(V) "Game quadrupeds" includes cottontail rabbits, gray squirrels, black squirrels, fox squirrels, red squirrels, flying squirrels, chipmunks, groundhogs or woodchucks, white-tailed deer, wild boar, <u>feral hogs</u> , and black bears.	80 81 82 83
(W) "Fur-bearing animals" includes minks, weasels, raccoons, skunks, opossums, muskrats, fox, beavers, badgers, otters, coyotes, and bobcats.	84 85 86
(X) "Wild animals" includes mollusks, crustaceans, aquatic insects, fish, reptiles, amphibians, wild birds, wild quadrupeds, and all other wild mammals, but does not include domestic deer.	87 88 89
(Y) "Hunting" means pursuing, shooting, killing, following after or on the trail of, lying in wait for, shooting at, or wounding wild birds or wild quadrupeds while employing any device commonly used to kill or wound wild birds or wild quadrupeds whether or not the acts result in killing or wounding. "Hunting" includes every attempt to kill or wound and every act of assistance to any other person in killing or wounding or attempting to kill or wound wild birds or wild quadrupeds.	90 91 92 93 94 95 96 97
(Z) "Trapping" means securing or attempting to secure possession of a wild bird or wild quadruped by means of setting, placing, drawing, or using any device that is designed to close 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.	98 99 100 101 102 103 104 105
(AA) "Muskrat spear" means any device used in spearing	106

muskrats.	107
(BB) "Channels and passages" means those narrow bodies of water lying between islands or between an island and the mainland in Lake Erie.	108 109 110
(CC) "Island" means a rock or land elevation above the waters of Lake Erie having an area of five or more acres above water.	111 112
(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.	113 114 115 116 117 118 119 120 121 122 123
(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.	124 125 126
(FF) "Waters" includes any lake, pond, reservoir, stream, channel, lagoon, or other body of water, or any part thereof, whether natural or artificial.	127 128 129
(GG) "Crib" or "car" refers to that particular compartment of the net from which the fish are taken when the net is lifted.	130 131
(HH) "Commercial fish" means those species of fish permitted to be taken, possessed, bought, or sold unless otherwise restricted by the Revised Code or division rule and are alewife (Alosa pseudoharengus), American eel (Anguilla rostrata), bowfin (Amia calva), burbot (Lota lota), carp (Cyprinus carpio), smallmouth buffalo (Ictiobus bubalus), bigmouth buffalo (Ictiobus	132 133 134 135 136 137

cyprinellus), black bullhead (<i>Ictalurus melas</i>), yellow bullhead	138
(<i>Ictalurus natalis</i>), brown bullhead (<i>Ictalurus nebulosus</i>), channel	139
catfish (<i>Ictalurus punctatus</i>), flathead catfish (<i>Pylodictis</i>	140
<i>olivaris</i>), whitefish (<i>Coregonus</i> sp.), cisco (<i>Coregonus</i> sp.),	141
freshwater drum or sheepshead (<i>Aplodinotus grunniens</i>), gar	142
(<i>Lepisosteus</i> sp.), gizzard shad (<i>Dorosoma cepedianum</i>), goldfish	143
(<i>Carassius auratus</i>), lake trout (<i>Salvelinus namaycush</i>), mooneye	144
(<i>Hiodon tergisus</i>), quillback (<i>Carpiodes cyprinus</i>), smelt	145
(<i>Allosmerus elongatus</i> , <i>Hypomesus</i> sp., <i>Osmerus</i> sp., <i>Spirinchus</i>	146
sp.), sturgeon (<i>Acipenser</i> sp., <i>Scaphirhynchus</i> sp.), sucker other	147
than buffalo and quillback (<i>Carpiodes</i> sp., <i>Catostomus</i> sp.,	148
<i>Hypentelium</i> sp., <i>Minytrema</i> sp., <i>Moxostoma</i> sp.), white bass (<i>Morone</i>	149
<i>chrysops</i>), white perch (<i>Roccus americanus</i>), and yellow perch	150
(<i>Perca flavescens</i>). When the common name of a fish is used in this	151
chapter or Chapter 1533. of the Revised Code, it refers to the	152
fish designated by the scientific name in this definition.	153
(II) "Fishing" means taking or attempting to take fish by any	154
method, and all other acts such as placing, setting, drawing, or	155
using any device commonly used to take fish whether resulting in a	156
taking or not.	157
(JJ) "Fillet" means the pieces of flesh taken or cut from	158
both sides of a fish, joined to form one piece of flesh.	159
(KK) "Part fillet" means a piece of flesh taken or cut from	160
one side of a fish.	161
(LL) "Round" when used in describing fish means with head and	162
tail intact.	163
(MM) "Migrate" means the transit or movement of fish to or	164
from one place to another as a result of natural forces or	165
instinct and includes, but is not limited to, movement of fish	166
induced or caused by changes in the water flow.	167
(NN) "Spreader bar" means a brail or rigid bar placed across	168

the entire width of the back, at the top and bottom of the cars in 169
all trap, crib, and fyke nets for the purpose of keeping the 170
meshes hanging squarely while the nets are fishing. 171

(OO) "Fishing guide" means any person who, for consideration 172
or hire, operates a boat, rents, leases, or otherwise furnishes 173
angling devices, ice fishing shanties or shelters of any kind, or 174
other fishing equipment, and accompanies, guides, directs, or 175
assists any other person in order for the other person to engage 176
in fishing. 177

(PP) "Net" means fishing devices with meshes composed of 178
twine or synthetic material and includes, but is not limited to, 179
trap nets, fyke nets, crib nets, carp aprons, dip nets, and 180
seines, except minnow seines and minnow dip nets. 181

(QQ) "Commercial fishing gear" means seines, trap nets, fyke 182
nets, dip nets, carp aprons, trotlines, other similar gear, and 183
any boat used in conjunction with that gear, but does not include 184
gill nets. 185

(RR) "Native wildlife" means any species of the animal 186
kingdom indigenous to this state. 187

(SS) "Gill net" means a single section of fabric or netting 188
seamed to a float line at the top and a lead line at the bottom, 189
which is designed to entangle fish in the net openings as they 190
swim into it. 191

(TT) "Tag fishing tournament" means a contest in which a 192
participant pays a fee, or gives other valuable consideration, for 193
a chance to win a prize by virtue of catching a tagged or 194
otherwise specifically marked fish within a limited period of 195
time. 196

(UU) "Tenant" means an individual who resides on land for 197
which the individual pays rent and whose annual income is 198
primarily derived from agricultural production conducted on that 199

land, as "agricultural production" is defined in section 929.01 of	200
the Revised Code.	201
(VV) "Nonnative wildlife" means any wild animal not	202
indigenous to this state, but does not include domestic deer.	203
(WW) "Reptiles" includes common musk turtle (<i>sternotherus</i>	204
<i>odoratus</i>), common snapping turtle (<i>Chelydra serpentina</i>	205
<i>serpentina</i>), spotted turtle (<i>Clemmys guttata</i>), eastern box turtle	206
(<i>Terrapene carolina carolina</i>), Blanding's turtle (<i>Emydoidea</i>	207
<i>blandingii</i>), common map turtle (<i>Graptemys geographica</i>), ouachita	208
map turtle (<i>Graptemys pseudogeographica ouachitensis</i>), midland	209
painted turtle (<i>Chrysemys picta marginata</i>), red-eared slider	210
(<i>Trachemys scripta elegans</i>), eastern spiny softshell turtle	211
(<i>Apalone spinifera spinifera</i>), midland smooth softshell turtle	212
(<i>Apalone mutica mutica</i>), northern fence lizard (<i>Sceloporus</i>	213
<i>undulatus hyacinthinus</i>), ground skink (<i>Scincella lateralis</i>),	214
five-lined skink (<i>Eumeces fasciatus</i>), broadhead skink (<i>Eumeces</i>	215
<i>laticeps</i>), northern coal skink (<i>Eumeces anthracinus anthracinus</i>),	216
European wall lizard (<i>Podarcis muralis</i>), queen snake (<i>Regina</i>	217
<i>septemvittata</i>), Kirtland's snake (<i>Clonophis kirtlandii</i>), northern	218
water snake (<i>Nerodia sipedon sipedon</i>), Lake Erie watersnake	219
(<i>Nerodia sipedon insularum</i>), copperbelly water snake (<i>Nerodia</i>	220
<i>erythrogaster neglecta</i>), northern brown snake (<i>Storeria dekayi</i>	221
<i>dekayi</i>), midland brown snake (<i>Storeria dekayi wrightorum</i>),	222
northern redbelly snake (<i>Storeria occipitomaculata</i>	223
<i>occipitomaculata</i>), eastern garter snake (<i>Thamnophis sirtalis</i>	224
<i>sirtalis</i>), eastern plains garter snake (<i>Thamnophis radix radix</i>),	225
Butler's garter snake (<i>Thamnophis butleri</i>), shorthead garter snake	226
(<i>Thamnophis brachystoma</i>), eastern ribbon snake (<i>Thamnophis</i>	227
<i>sauritus sauritus</i>), northern ribbon snake (<i>Thamnophis sauritus</i>	228
<i>septentrionalis</i>), eastern hognose snake (<i>Heterodon platirhinos</i>),	229
eastern smooth earth snake (<i>Virginia valeriae valeriae</i>), northern	230
ringneck snake (<i>Diadophis punctatus edwardsii</i>), midwest worm snake	231

(<i>Carphophis amoenus helenae</i>), eastern worm snake (<i>Carphophis amoenus amoenus</i>), black racer (<i>Coluber constrictor constrictor</i>),	232 233
blue racer (<i>Coluber constrictor foxii</i>), rough green snake (<i>Opheodrys aestivus</i>), smooth green snake (<i>Opheodrys vernalis vernalis</i>), black rat snake (<i>Elaphe obsoleta obsoleta</i>), eastern fox snake (<i>Elaphe vulpina gloydi</i>), black kingsnake (<i>Lampropeltis getula nigra</i>), eastern milk snake (<i>Lampropeltis triangulum triangulum</i>), northern copperhead (<i>Agkistrodon contortrix mokasen</i>), eastern massasauga (<i>Sistrurus catenatus catenatus</i>), and timber rattlesnake (<i>Crotalus horridus horridus</i>).	234 235 236 237 238 239 240 241
(XX) "Amphibians" includes eastern hellbender (<i>Cryptobranchus alleganiensis alleganiensis</i>), mudpuppy (<i>Necturus maculosus maculosus</i>), red-spotted newt (<i>Notophthalmus viridescens viridescens</i>), Jefferson salamander (<i>Ambystoma jeffersonianum</i>), spotted salamander (<i>Ambystoma maculatum</i>), blue-spotted salamander (<i>Ambystoma laterale</i>), smallmouth salamander (<i>Ambystoma texanum</i>), streamside salamander (<i>Ambystoma barbouri</i>), marbled salamander (<i>Ambystoma opacum</i>), eastern tiger salamander (<i>Ambystoma tigrinum tigrinum</i>), northern dusky salamander (<i>Desmognathus fuscus fuscus</i>), mountain dusky salamander (<i>Desmognathus ochrophaeus</i>), redback salamander (<i>Plethodon cinereus</i>), ravine salamander (<i>Plethodon richmondi</i>), northern slimy salamander (<i>Plethodon glutinosus</i>), Wehrle's salamander (<i>Plethodon wehrlei</i>), four-toed salamander (<i>Hemidactylium scutatum</i>), Kentucky spring salamander (<i>Gyrinophilus porphyriticus duryi</i>), northern spring salamander (<i>Gyrinophilus porphyriticus porphyriticus</i>), mud salamander (<i>Pseudotriton montanus</i>), northern red salamander (<i>Pseudotriton ruber ruber</i>), green salamander (<i>Aneides aeneus</i>), northern two-lined salamander (<i>Eurycea bislineata</i>), longtail salamander (<i>Eurycea longicauda longicauda</i>), cave salamander (<i>Eurycea lucifuga</i>), southern two-lined salamander (<i>Eurycea cirrigera</i>), Fowler's toad (<i>Bufo woodhousii fowleri</i>), American toad (<i>Bufo americanus</i>), eastern spadefoot (<i>Scaphiopus holbrookii</i>), Blanchard's cricket frog (<i>Acris</i>	242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264

crepitans blanchardi), northern spring peeper (Pseudacris crucifer	265
crucifer), gray treefrog (Hyla versicolor), Cope's gray treefrog	266
(Hyla chrysoscelis), western chorus frog (Pseudacris triseriata	267
triseriata), mountain chorus frog (Pseudacris brachyphona),	268
bullfrog (Rana catesbeiana), green frog (Rana clamitans melanota),	269
northern leopard frog (Rana pipiens), pickerel frog (Rana	270
palustris), southern leopard frog (Rana utricularia), and wood	271
frog (Rana sylvatica).	272
(YY) "Deer" means white-tailed deer (Odocoileus	273
virginianus).	274
(ZZ) "Domestic deer" means nonnative deer that have been	275
legally acquired or their offspring and that are held in private	276
ownership for primarily agricultural purposes.	277
(AAA) "Migratory game bird" includes waterfowl (Anatidae);	278
doves (Columbidae); cranes (Gruidae); cormorants	279
(Phalacrocoracidae); rails, coots, and gallinules (Rallidae); and	280
woodcock and snipe (Scolopacidae).	281
(BBB) "Accompany" means to go along with another person while	282
staying within a distance from the person that enables	283
uninterrupted, unaided visual and auditory communication.	284
(CCC) "Electric-powered all-purpose vehicle" means any	285
battery-powered self-propelled electric vehicle that is designed	286
primarily for cross-country travel on land, water, or land and	287
water and that is steered by wheels, caterpillar treads, or a	288
combination of wheels and caterpillar treads and includes vehicles	289
that operate on a cushion of air, vehicles commonly known as	290
all-terrain vehicles, all-season vehicles, mini-bikes, and trail	291
bikes. "Electric-powered all-purpose vehicle" does not include a	292
utility vehicle as defined in section 4501.01 of the Revised Code,	293
any vehicle that is principally used in playing golf, any motor	294
vehicle or aircraft that is required to be registered under	295

Chapter 4503. or 4561. of the Revised Code, or any vehicle that is 296
excluded from the definition of "motor vehicle" as provided in 297
division (B) of section 4501.01 of the Revised Code. 298

(DDD) "Wholly enclosed preserve" means an area of land that 299
is surrounded by a fence that is at least six feet in height, 300
unless otherwise specified in division rule, and is constructed of 301
a woven wire mesh, or another enclosure that the division of 302
wildlife may approve, where game birds, game quadrupeds, reptiles, 303
amphibians, or fur-bearing animals are raised and may be sold 304
under the authority of a commercial propagating license or captive 305
white-tailed deer propagation license obtained under section 306
1533.71 of the Revised Code. 307

(EEE) "Commercial bird shooting preserve" means an area of 308
land where game birds are released and hunted by shooting as 309
authorized by a commercial bird shooting preserve license obtained 310
under section 1533.72 of the Revised Code. 311

(FFF) "Wild animal hunting preserve" means an area of land 312
where game, captive white-tailed deer, and nonnative wildlife, 313
other than game birds, are released and hunted as authorized by a 314
wild animal hunting preserve license obtained under section 315
1533.721 of the Revised Code. 316

(GGG) "Captive white-tailed deer" means legally acquired deer 317
that are held in private ownership at a facility licensed under 318
section 943.03 or 943.031 of the Revised Code and under section 319
1533.71 or 1533.721 of the Revised Code. 320

Sec. 1533.121. Except as otherwise provided by division rule, 321
the driver of every motor vehicle that has caused the death of a 322
deer, wild turkey, wild boar, or feral hog by striking the deer, 323
wild turkey, wild boar, or feral hog on a highway may take 324
possession of the deer, wild turkey, wild boar, or feral hog, 325
provided that within twenty-four hours thereafter, the driver 326

reports the accident to a wildlife officer or other law enforcement officer. The officer shall investigate, and, if the officer finds the death has been caused as alleged, the officer shall give a certificate for legal ownership of the deer, wild turkey, wild boar, or feral hog to the driver. If ~~the~~ such a deer or wild turkey is unclaimed, the certificate for legal ownership may be given to a private or public institution or charity or to another person.

Section 2. That existing sections 1531.01 and 1533.121 of the Revised Code are hereby repealed.