



Jeff Grim

## *Final Analysis*

*Legislative Service Commission*

### **H.B. 296**

126th General Assembly  
(As Passed by the General Assembly)

**Reps.** Buehrer, Latta, Hagan, Aslanides, Setzer, Seaver, Hood, Kearns, Garrison, Blessing, Boccieri, Book, Bulp, Carano, Cassell, Coley, Core, Dolan, Domenick, Evans, C., Evans, D., Faber, Fende, Fessler, Gibbs, Gilb, Harwood, Hoops, Key, Law, Martin, McGregor, J., McGregor, R., Oelslager, Otterman, Perry, Peterson, Raga, Reinhard, Sayre, Schaffer, Schlichter, Schneider, Seitz, Stewart, D., Taylor, Uecker, Wagoner, Webster, White, Willamowski, Yuko, Patton, T.

**Sens.** Mumper, Carey, Grendell, Schuring, Amstutz, Armbruster, Austria, Cates, Clancy, Dann, Fedor, Fingerhut, Gardner, Goodman, Hagan, Harris, Hottinger, Jordan, Kearney, Niehaus, Padgett, Prentiss, Roberts, Schuler, Spada, Stivers, Wachtmann, Wilson, Zurz

**Effective date:** \*

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### **ACT SUMMARY**

- Provides for the issuance of apprentice hunting licenses and apprentice fur taker permits, and exempts an applicant for an apprentice hunting license or apprentice fur taker permit from requirements concerning the presentation of evidence of a previously held hunting license or fur taker permit or of the completion of a hunting or trapping education course.
- Establishes statutory fees for the issuance of apprentice hunting licenses and apprentice fur taker permits that are equivalent to the fees charged for regular hunting licenses and fur taker permits.
- Authorizes the Chief of the Division of Wildlife in the Department of Natural Resources to adopt rules governing the issuance and use of apprentice licenses and permits.

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*\* The Legislative Service Commission had not received formal notification of the effective date at the time this analysis was prepared. Additionally, the analysis may not reflect action taken by the Governor.*

- Prohibits a person from purchasing more than three apprentice hunting licenses or more than three apprentice fur taker permits.
- Authorizes a holder of an apprentice hunting license or an apprentice fur taker permit to hunt or trap, as applicable, only while accompanied by another person who is 21 years of age or older and who possesses, respectively, a valid hunting license or fur taker permit, and prohibits a holder of a valid hunting license or fur taker permit from accompanying more than two holders of an apprentice hunting license or apprentice fur taker permit at one time.
- Establishes 17 years of age, rather than under 15 years of age, as the age limit for special youth hunting licenses and youth fur taker permits.<sup>1</sup>

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## CONTENT AND OPERATION

### Introduction

The act authorizes the issuance of apprentice hunting licenses and apprentice fur taker permits and exempts applicants for those licenses and permits from requirements concerning the presentation of evidence of previously held hunting licenses or fur taker permits or of the completion of hunting or trapping education courses. It establishes requirements governing the issuance and use of apprentice licenses and permits. Finally, it increases to 17 years of age the age limit for continuing youth hunting licenses and youth fur taker permits.

### Hunting licenses

Continuing law prohibits any person from hunting a wild bird or wild quadruped without a hunting license.<sup>2</sup> Under law changed in part by the act, with

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<sup>1</sup> *Am. Sub. H.B. 66, which was enacted by the 126th General Assembly, also increased to 17 years of age the age limit for continuing youth hunting licenses and youth fur taker permits. This act was not updated to reflect the changes made by the earlier enactment. Thus, this analysis describes the act as it was passed by the General Assembly and does not indicate that several of its changes were already enacted.*

<sup>2</sup> *"Wild birds" includes game birds and nongame birds (sec. 1531.01(Q)). "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 (sec. 1531.01(S)). "Nongame birds" includes all other wild birds not included and defined as game birds (sec. 1531.01(T)).*

certain exceptions, every applicant for a hunting license who is a resident of this state and 16 years of age or older must procure a resident hunting license, the fee for which generally is \$18. The act increases the age at which an applicant for a hunting license who is a resident of this state must procure a resident hunting license from 16 years of age or older to 18 years of age or older. In addition, the act specifies that such an applicant may procure, for a fee of \$18, an apprentice resident hunting license instead of a resident hunting license. (Sec. 1533.10.)

Law largely retained by the act establishes a special youth hunting license for persons who are under the age of 16 years. The fee for such a license is one-half of the regular hunting license fee. The act provides that every applicant for a hunting license who is under the age of 18 years, rather than under the age of 16 years, must procure a special youth hunting license. In addition, it provides that instead of procuring a special youth hunting license, such an applicant may procure an apprentice youth hunting license, the fee for which likewise is one-half of the regular hunting license fee. (Sec. 1533.10.)

Under law changed in part by the act, every applicant for a hunting license who is a nonresident of Ohio and who is 16 years of age or older must procure a nonresident hunting license, the fee for which is \$124, unless the applicant is a resident of a state that is a party to a reciprocal agreement with Ohio under which the resident fee of \$18 applies. The act specifies that every such applicant who is 18 years of age or older, rather than 16 years of age or older, must procure a nonresident hunting license. In addition, the act provides that instead of procuring a nonresident hunting license, such an applicant may procure an apprentice nonresident hunting license for the same fee. (Sec. 1533.10.)

Under the act, an apprentice nonresident hunting license does not authorize the taking or possessing of ducks, geese, or brant without having obtained, in addition to the apprentice nonresident hunting license, a wetlands habitat stamp. An apprentice nonresident hunting license also does not authorize the taking or possessing of deer, wild turkeys, or fur-bearing animals. A nonresident who holds an apprentice nonresident hunting license or an apprentice youth hunting license and who wishes to take or possess deer, wild turkeys, or fur-bearing animals in Ohio additionally must procure, respectively, a special deer or wild turkey permit or a fur taker permit. (Sec. 1533.10.)

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*"Wild quadrupeds" includes game quadrupeds and fur-bearing animals (sec. 1531.01(U)). "Game quadrupeds" includes cottontail rabbits, gray squirrels, black squirrels, fox squirrels, red squirrels, flying squirrels, chipmunks, groundhogs or woodchucks, white-tailed deer, wild boar, and black bears (sec. 1531.01(V)). "Fur-bearing animals" includes minks, weasels, raccoons, skunks, opossums, muskrats, fox, beavers, badgers, otters, coyotes, and bobcats (sec. 1531.01(W)).*

Law revised in part by the act prohibits a hunting license from being issued unless the applicant presents to the agent authorized to issue the license a previously held hunting license or evidence of having held such a license in content and manner approved by the Chief of the Division of Wildlife in the Department of Natural Resources, a certificate of completion issued upon completion of a hunter education and conservation course approved by the Chief, or evidence of equivalent training in content and manner approved by the Chief. The act exempts the issuance of apprentice hunting licenses from this requirement and specifies that a previously held apprentice hunting license does not satisfy the requirement concerning the presentation of a previously held hunting license or evidence of it. (Sec. 1533.10.)

Law generally unchanged by the act also prohibits the issuance of a hunting license to any person who fails to present the required evidence of previous licensure or training and prohibits a person from purchasing or obtaining a hunting license without presenting such evidence to the issuing agent. The act exempts apprentice hunting licenses from these prohibitions. (Sec. 1533.10.)

Under law somewhat revised by the act, the Chief, with the approval of the Wildlife Council, must adopt rules prescribing a hunter education and conservation course for first-time hunting license buyers. The act specifies that the course is not required for buyers of apprentice hunting licenses. (Sec. 1533.10.)

### **Fur taker permits**

Law largely unchanged by the act generally prohibits a person from hunting or trapping fur-bearing animals on land of another without first obtaining an annual fur taker permit. With certain exceptions, each applicant must pay an annual fee of \$14 for the permit. The act provides that instead of procuring a fur taker permit, an applicant may procure an apprentice fur taker permit for the same fee. (Sec. 1533.111.)

Law changed in part by the act establishes a special youth fur taker permit for persons who are residents of the state and under the age of 16 years. The fee for such a permit is one-half of the regular fur taker permit fee. The act provides that every resident applicant for a fur taker permit who is under the age of 18 years, rather than under the age of 16 years, must procure a special youth fur taker permit. In addition, it provides that instead of procuring a special youth fur taker permit, such an applicant may procure an apprentice youth fur taker permit, the fee for which likewise is one-half of the regular fur taker permit fee. (Sec. 1533.111.)

Continuing law provides that fur taker permits run concurrently with hunting licenses. The act adds that this provision also applies to apprentice fur taker permits. (Sec. 1533.111.)

Law revised in part by the act prohibits a fur taker permit from being issued unless the applicant presents to the agent authorized to issue the permit a previously held hunting license or trapping or fur taker permit or evidence of having held such a license or permit in content and manner approved by the Chief, a certificate of completion issued upon completion of a trapper education course approved by the Chief, or evidence of equivalent training in content and manner approved by the Chief. The act exempts the issuance of apprentice fur taker permits from this requirement and specifies that a previously held apprentice hunting license, apprentice fur taker permit, or apprentice youth fur taker permit does not satisfy the requirement concerning the presentation of a previously held hunting license or fur taker permit or evidence of such a license or permit. (Sec. 1533.111.)

Law generally unchanged by the act also prohibits the issuance of a fur taker permit to any person who fails to present the required evidence of previous licensure or training and prohibits a person from purchasing or obtaining a fur taker permit without presenting such evidence to the issuing agent. The act exempts apprentice fur taker permits and apprentice youth fur taker permits from these prohibitions. (Sec. 1533.111.)

Under law somewhat revised by the act, the Chief, with the approval of the Wildlife Council, must adopt rules prescribing a trapper education course for first-time fur taker permit buyers. The act specifies that the course is not required for buyers of apprentice fur taker permits or apprentice youth fur taker permits. (Sec. 1533.111.)

### **Issuance and use of apprentice hunting licenses and apprentice fur taker permits**

The act authorizes the Chief to adopt rules that the Chief considers to be necessary to administer the issuance of apprentice hunting licenses and apprentice fur taker permits and their use, except that the rules cannot establish fee amounts for those licenses and permits that differ from the fee amounts established by statute (see above). (Sec. 1533.102.)

The act specifies that unless otherwise provided by Division rule, an apprentice license or permit is valid beginning on the first day of March and ending at midnight on the last day of February of the following year. It prohibits a person from purchasing more than three apprentice hunting licenses of any type or more than three apprentice fur taker permits of any type. (Sec. 1533.102.)

Under the act, any type of apprentice hunting license authorizes the holder of such a license to hunt only while accompanied by another person who is 21 years of age or older and who possesses a valid hunting license (sec. 1533.102). The act defines "accompany" as going along with another person while staying within a distance from the person that enables uninterrupted, unaided visual and auditory communication (sec. 1531.01(BBB)). The act also specifies that any type of apprentice fur taker permit authorizes the holder of such a permit to hunt or trap fur-bearing animals only while accompanied by another person who is 21 years of age or older and who possesses a valid fur taker permit. In addition, the act prohibits a holder of a valid hunting license or fur taker permit from accompanying more than two holders of any type of apprentice hunting license or apprentice fur taker permit at one time. (Sec. 1533.102.)

Through the operation of ongoing law, the penalty for violating any of the prohibitions concerning an apprentice license or permit is a misdemeanor of the fourth degree (sec. 1533.99(F), not in the act).

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## HISTORY

ACTION	DATE
Introduced	06-14-05
Reported, H. Agriculture & Natural Resources	11-16-05
Passed House (91-3)	12-13-05
Reported, S. Agriculture	01-18-06
Passed Senate (33-0)	01-24-06

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