

HOUSE BILL NO. HB0032

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; providing conforming amendments; 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. 23-1-102(a) by creating a new
9 paragraph (xviii), 23-1-302(a)(xiv) and by creating a new
10 subsection (o), 23-1-701(b)(intro) and (c), 23-1-801,
11 23-2-101(m) and 23-2-306(a)(intro) are amended to read:

12

13 **23-1-102. General definitions.**

14

15 (a) As used in this act:

16

1 (xviii) "Electronic licensing" means a system
2 for the issuance of licenses, stamps and tags as an
3 alternative to issuing original paper licenses, stamps and
4 tags. An electronic licensing system is a system in which
5 the license, stamp or tag, or authorization therefore, is
6 received through a point of sale terminal or through a
7 computer.

8
9 **23-1-302. Powers and duties.**

10
11 (a) The commission is directed and empowered:

12
13 (xiv) To prescribe the requirements and form,
14 including electronic licensing format, for the licenses,
15 stamps and tags provided for in this act, to issue
16 licenses, stamps and tags under the provisions of this act,
17 including through electronic licensing, to make regulations
18 for the sale and record of licenses, stamps and tags,
19 including sale by electronic licensing, and to distribute
20 licenses, ~~and~~ stamps, tags and electronic equipment and
21 software programs associated with electronic licensing only
22 to persons authorized by the commission to issue ~~them~~
23 licenses, stamps or tags;

1 (o) The commission may, by rule and regulation,
2 establish an electronic licensing system and prescribe the
3 manner of payment for any electronic payment accepted by
4 the department. For purposes of facilitating the
5 implementation of an electronic licensing system, the
6 commission may:

7
8 (i) Enter into agreements with the state
9 treasurer to establish an electronic funds transfer system;

10
11 (ii) Permit license selling agents to authorize
12 an electronic funds transfer to a collection account as set
13 forth by commission rule and regulation;

14
15 (iii) Charge the license selling agent an
16 additional fee of not more than thirty dollars (\$30.00) for
17 each nonsufficient funds debit from the license selling
18 agent's account; and

19
20 (iv) Promulgate all other necessary rules and
21 regulations to effectuate electronic licensing.

22
23 **23-1-701. Selling agents; administration of oaths;**
24 **licenses, permits and game tags.**

1

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

24

1 (c) ~~On or before the 10th of each month~~ Every selling
2 agent shall file a report ~~for the preceding month~~ with the
3 commission ~~on forms approved at such times and in such~~
4 ~~manner as prescribed~~ by ~~the~~ commission. ~~Selling agents~~
5 ~~shall also remit all money collected during the previous~~
6 ~~month less commission,~~ rule and shall account for ~~and~~
7 ~~deliver~~ all ~~surplus, unused and damaged~~ licenses, permits,
8 ~~and~~ stamps, ~~and stubs of licenses~~ received by the selling
9 agent to the commission.

10
11 **23-1-801. Reciprocal fishing agreements with**
12 **adjoining states authorized; stamps for licenses.**

13
14 The commission is authorized to enter into reciprocal
15 agreements with corresponding state officials of adjoining
16 states for purposes of providing for the licensing for
17 fishing of residents of this state and adjoining states
18 upon artificial impoundments of water forming the boundary
19 between this state and adjoining states. The agreements may
20 include provisions by which each state shall honor the
21 license of the other only when ~~there is affixed to the~~
22 ~~license a stamp~~ the licensee has purchased a stamp or
23 authorization signifying purchase of a stamp from the other

1 state, the charge for the stamp being set by mutual
2 agreement of the states.

3

4 **23-2-101. Fees; restrictions; nonresident application**
5 **fee; nonresident licenses; verification of residency**
6 **required.**

7

8 (m) Subject to the provisions of this subsection, as
9 part of any preference point program for nonresident
10 antelope, nonresident bighorn sheep, nonresident moose,
11 nonresident deer or nonresident elk, the commission may
12 establish a nonrefundable fee to be ~~retained~~either
13 withheld from the license fee remitted or submitted
14 separately when application for a license or preference
15 point is made through electronic licensing, and may also
16 establish a fee to be paid in lieu of applying for licenses
17 that are limited in quota. Retention of the established
18 fee or payment of the fee in lieu of applying shall
19 authorize the person to accumulate a preference point for
20 future drawings for licenses that are limited in quota for
21 the applicable species in accordance with rules of the
22 commission. The rules may provide for the loss of all
23 accumulated points for persons failing to apply or to pay
24 the in lieu fee in two (2) consecutive calendar years. The

1 fee for any program under this subsection for antelope,
2 deer or elk shall be established by rule and shall not
3 exceed fifty dollars (\$50.00) per species. Payment of the
4 fee shall be made in compliance with application dates.
5 Nothing in this subsection authorizes the commission to
6 establish or retain a fee for resident moose or resident
7 bighorn sheep license preference points in addition to the
8 fee established by subsection (k) of this section or to
9 establish rules for bighorn sheep or moose preference point
10 drawings in conflict with the provisions of W.S.
11 23-1-703(b). For nonresident bighorn sheep and nonresident
12 moose licenses, the commission may establish by rule a
13 nonrefundable preference point fee to be ~~retained~~ withheld
14 from either the license fee remitted or submitted
15 separately when application for a license or preference
16 point is made through electronic licensing and may
17 establish a fee in lieu of making application in an amount
18 greater than that established under subsection (k) of this
19 section, but neither fee shall exceed one hundred dollars
20 (\$100.00). Fees established under this subsection may be
21 set at lower amounts for youth license applicants.

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

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(a) Subject to subsection (b) of this section and the applicable fee under W.S. 23-1-701, each sportsman licensed under W.S. 23-2-101, 23-2-107 or 23-2-201 shall purchase a single conservation stamp for ten dollars (\$10.00) which shall be valid for one (1) calendar year and the stamp or an authorization signifying purchase of the stamp shall be in the possession of any person exercising rights under any fishing or hunting license issued pursuant to W.S. 23-2-101, 23-2-107 or 23-2-201. Holders of pioneer licenses as defined under W.S. 23-1-705(d) and (e), of special limited fishing permits issued under W.S. 23-2-207 and holders of licenses only under W.S. 23-2-101(j)(v) and (vi), 23-2-201(d)(vi) and (vii) and 23-2-201(f) are exempt from the provisions of this section. Revenues collected from the sale of each stamp under this subsection shall be deposited as follows:

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

(END)