

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO. _____

Illegal stocking of fish.

Sponsored by: Representative(s) Childers

A BILL

for

1 AN ACT relating to game and fish; providing for civil
2 penalties for illegal stocking of fish; and providing for
3 an effective date.

4

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

6

7 **Section 1.** W.S. 23-4-101 is amended to read:

8

9 **23-4-101. Fish stocking in public waters without**
10 **consent prohibited; penalties.**

11

12 (a) No person shall plant or release any fish or fish
13 eggs in any public waters of Wyoming without the consent

1 and under the supervision of the department or its
2 authorized personnel.

3

4 (b) Violation of this section constitutes a high
5 misdemeanor punishable as provided in W.S. 23-6-202(a)(ii).

6

7 (c) The court may, in its discretion, revoke any
8 license issued under this act to any person convicted of a
9 violation of this section, for the remainder of the year in
10 which the conviction occurs, and may suspend the person's
11 privilege to purchase or receive any other license under
12 this act or to take any wildlife for not less than five (5)
13 years.

14

15 ***** Staff note: The longest period currently in**
16 **statute is six years. See W.S. 23-6-206. The committee**
17 **needs to decide the appropriate length of time. *****

18

19 (d) In addition to any other criminal penalty
20 provided in this act, any person who knowingly or willfully
21 violates subsection (a) of this section may be assessed
22 civil penalties in an amount not to exceed the costs
23 incurred by the commission in removing the fish or fish

1 eggs from the public waters affected by the violation. The
2 commission may enforce the provisions of this section,
3 including an action for civil penalties or injunctive
4 relief.

5

6 ***** Staff note: Committee needs to consider the**
7 **knowingly or willfully standard again. *****

8

9 **Section 2.** This act is effective July 1, 2010.

10

11

(END)