

**SENATE BILL No. 152**

By Committee on Natural Resources

2-9

1 AN ACT concerning wildlife; relating to hunting; amending K.S.A. 2010  
2 Supp. 32-1002 and repealing the existing section.

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4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. K.S.A. 2010 Supp. 32-1002 is hereby amended to read as  
6 follows: 32-1002. (a) Unless and except as permitted by law or rules and  
7 regulations adopted by the secretary in accordance with K.S.A. 32-805,  
8 and amendments thereto, it is unlawful for any person to:

9 (1) Hunt, fish, furharvest or take any wildlife in this state by any  
10 means or manner;

11 (2) possess; any wildlife, dead or alive, at any time or in any  
12 number, in this state;

13 (3) purchase, sell, exchange, ship or offer for sale, exchange or  
14 shipment any wildlife in this state;

15 (4) take any wildlife in this state for sale, exchange or other  
16 commercial purposes;

17 (5) possess any seine, trammel net, hoop net, fyke net, fish gig, fish  
18 spear, fish trap or other device, contrivance or material for the purpose of  
19 taking wildlife; or

20 (6) take or use, at any time or in any manner, any game bird, game  
21 animal, coyote or furbearing animal, whether pen-raised or wild, in any  
22 field trial or for training dogs.

23 (b) The provisions of subsections (a)(2) and (a)(3) do not apply to  
24 animals sold in surplus property disposal sales of department exhibit  
25 herds or animals legally taken outside this state, except the provisions of  
26 subsection (a)(3) shall apply to:

27 (1) The meat of game animals legally taken outside this state; and

28 (2) other restrictions as provided by rule and regulation of the  
29 secretary.

30 (c) The provisions of this section shall not be construed to prevent:

31 (1) Any person from taking starlings or English and European  
32 sparrows; ~~or~~

33 (2) owners or legal occupants of land from killing any animals when  
34 found in or near buildings on their premises or when destroying property,  
35 subject to the following: (A) The provisions of all federal laws and  
36 regulations governing protected species and the provisions of K.S.A. 32-

1 957 through 32-963, *and amendments thereto*, and rules and regulations  
2 adopted thereunder; (B) it is unlawful to use, or possess with intent to  
3 use, any such animal so killed unless authorized by rules and regulations  
4 of the secretary; and (C) such owners or legal occupants shall make  
5 reasonable efforts to alleviate their problems with any such animals  
6 before killing them-;

7 (3) *any person who is licensed under the personal and family*  
8 *protection act, K.S.A. 75-7c01 et seq., and amendments thereto, from*  
9 *exercising the right to carry a concealed handgun while lawfully hunting,*  
10 *fishing or furharvesting; or*

11 (4) *any person who lawfully possesses a device or attachment of any*  
12 *kind designed, used or intended for use in supressing the report of any*  
13 *firearm from using such device or attachment in conjunction with lawful*  
14 *hunting, fishing or furharvesting.*

15 (d) Any person convicted of violating provisions of this section shall  
16 ~~by~~ be subject to the penalties prescribed in K.S.A. 32-1031, and  
17 amendments thereto, except as provided in K.S.A. 32-1032, and  
18 amendments thereto, relating to big game and wild turkey.

19 Sec. 2. K.S.A. 2010 Supp. 32-1002 is hereby repealed.

20 Sec. 3. This act shall take effect and be in force from and after its  
21 publication in the statute book.  
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