

FIRST REGULAR SESSION

HOUSE BILL NO. 912

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES POLLOCK (Sponsor), DAY, RUZICKA, DETHROW,
WILSON (119), SUTHERLAND, LOEHNER AND QUINN (7) (Co-sponsors).

Read 1st time February 20, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

2217L.01I

AN ACT

To amend chapter 578, RSMo, by adding thereto three new sections relating to hunting and retrieval of game, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 578, RSMo, is amended by adding thereto three new sections, to be
2 known as sections 578.520, 578.525, and 578.530, to read as follows:

**578.520. 1. No person shall fish, hunt, or trap upon any private land that is not
2 owned or in the possession of such person without permission from the owner or lessee of
3 such land.**

**4 2. Any person who violates the provisions of this section is guilty of a class B
5 misdemeanor.**

**6 3. Any person who knowingly enters or remains on private property for the
7 purpose of hunting, fishing, or trapping in violation of subsection 1 of this section shall, in
8 addition to the penalty in subsection 2 of this section, lose his or her hunting, fishing, or
9 trapping privileges for one year from the date of conviction. If such person has been issued
10 a license or permit by the department of conservation to hunt, fish, or trap, the court shall
11 require the license holder to surrender and deliver the license to the court to be returned
12 to the department of conservation.**

**578.525. 1. No person shall, while engaged in the retrieval of small game from
2 private land without permission of the landowner or lessee of the land:**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

3 (1) Intentionally drive or flush any small game located on the land toward other
4 hunters of the retriever's same hunting group located on other parcels of land or right-of-
5 ways; or

6 (2) Intentionally discharge a firearm at small game, except waterfowl, that
7 originates from the private land during retrieval.

8 2. Unlawful retrieval of small game is a class B misdemeanor.

 578.530. It shall be an affirmative defense to prosecution for a violation of sections
2 578.520 and 578.525 that:

3 (1) The premises were at the time open to members of the public and the person
4 complied with all lawful conditions imposed concerning access to or the privilege of
5 remaining on the premises; or

6 (2) The person reasonably believed that the owner of the premises, or other person
7 permitted to license access to the premises, would have permitted him or her to enter or
8 remain.

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