

SECOND REGULAR SESSION

HOUSE BILL NO. 1439

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES DENISON (Sponsor),
FLANIGAN AND GRISAMORE (Co-sponsors).

3476L.02I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 252.043, RSMo, and to enact in lieu thereof two new sections relating to fish and game, with penalty provisions.

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

Section A. Section 252.043, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 252.038 and 252.043, to read as follows:

252.038. 1. In addition to the penalties provided in section 252.040, any person taking, killing, possessing or disposing of a deer, except as permitted by commission rules, shall be subject to a fine in the following:

(1) For each antlered deer with a certified Boone & Crockett score of at least one hundred points and not more than one hundred twenty-five points, one thousand five hundred dollars;

(2) For each antlered deer with a certified Boone & Crockett score of at least one hundred twenty-five points and not more than one hundred fifty points, three thousand dollars;

(3) For each antlered deer with a certified Boone & Crockett score of at least one hundred fifty points and not more than one hundred seventy points, five thousand five hundred dollars;

(4) For each antlered deer with a certified Boone & Crockett score of one hundred seventy points or more, seven thousand five hundred dollars.

2. Moneys collected under this section shall be considered a penalty, forfeiture or fine for the purposes of Article IX, Section 7 of the Constitution of Missouri.

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.

252.043. **1.** The commission may suspend, revoke or deny a hunting permit or privilege
2 for a maximum of five years when a person, while hunting, inflicts injury by firearm or other
3 weapon to another person who is mistaken for game. No suspension, revocation or denial shall
4 occur until an opportunity has been afforded for a hearing before the commission. Any person
5 who is determined by the commission to have inflicted injury by firearm or other weapon shall
6 be required to successfully complete a department-approved hunter safety course before his or
7 her hunting permit or privilege shall be restored. The commission's proceeding shall be a
8 contested case pursuant to chapter 536, RSMo, and any person aggrieved by a final decision shall
9 be entitled to judicial review as provided in chapter 536, RSMo.

10 **2. If any person fails to appear at a hearing or fails to pay a fine imposed for any**
11 **violation of section 252.038 or 252.040, the court shall notify the commission of such**
12 **person's actions for the commission's consideration of the suspension, revocation or denial**
13 **of such person's permit or privilege to pursue, take, kill, possess or dispose of wildlife.**

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