

1 AN ACT relating to ruffed grouse hunting.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 150 IS CREATED TO
4 READ AS FOLLOWS:

5 (1) As used in this section, "ruffed grouse" means a member of the species *Bonasa*
6 *umbellus*.

7 (2) For any area in which the department allows for the taking of ruffed grouse:

8 (a) The annual ruffed grouse hunting season shall be from October 1 to
9 January 31; and

10 (b) The daily bag limit shall be one (1) per hunter and the season limit shall be
11 four (4) per hunter.

12 (3) Any person who has taken a ruffed grouse in the Commonwealth shall report the
13 following information through the electronic or telephonic reporting system
14 maintained by the department on the same day that the ruffed grouse was taken:

15 (a) The date and location of the harvest;

16 (b) The age and sex of the ruffed grouse, if determinable; and

17 (c) Any information that the department may require to improve harvest data
18 accuracy.

19 ➔Section 2. KRS 150.990 is amended to read as follows:

20 (1) Each bird, fish, or animal taken, possessed, bought, sold, or transported and each
21 device used or possessed contrary to the provisions of this chapter or any
22 administrative regulation promulgated by the commission thereunder shall
23 constitute a separate offense. The penalties prescribed in this section shall be for
24 each offense.

25 (2) (a) Any person who fails to appear pursuant to a citation or summons issued by a
26 game warden or peace officer of this Commonwealth for violation of this
27 chapter or any administrative regulation promulgated thereunder shall forfeit

1 his or her license or, if that person is license-exempt, shall forfeit the privilege
2 to perform the acts authorized by the license. The individual shall not be
3 permitted to purchase another license or exercise the privileges granted by a
4 license until the citation or summons is resolved. The court shall notify the
5 department whenever a person has failed to appear pursuant to a citation or
6 summons for a violation of this chapter or any administrative regulation
7 promulgated thereunder.

8 (b) Any person who violates any of the provisions of this chapter or any
9 administrative regulations promulgated by the commission thereunder may, in
10 addition to the penalties provided in subsections (3), (4), (5), (6), (7), and (8)
11 of this section, forfeit his or her license or, if that person is license-exempt,
12 may forfeit the privilege to perform the acts authorized by the license and
13 shall not be permitted to purchase another license or exercise the privileges
14 granted by a license during the same license year. No fines, penalty, or
15 judgment assessed or rendered under this chapter shall be suspended, reduced,
16 or remitted otherwise than expressly provided by law. Any person who
17 violates any administrative regulation which has been or may be promulgated
18 by the commission under any provisions of this chapter shall be subject to the
19 same penalty as is provided for the violation of any provisions of this chapter
20 under which the administrative regulation is promulgated.

21 (3) Any person who violates any of the provisions of KRS 150.120, 150.170,
22 150.235(1), 150.280, 150.320, 150.330(2), 150.355, 150.362, 150.400, 150.410,
23 150.415, 150.416, 150.445, 150.450, 150.470, 150.603, Section 1 of this Act, or
24 150.722(2), or any of the provisions of this chapter or any administrative regulation
25 promulgated by the commission for which no definite fine or imprisonment is fixed
26 shall be fined not less than fifty dollars (\$50) nor more than five hundred dollars
27 (\$500).

- 1 (4) Any person who violates any of the provisions of KRS 150.195(5) to (8), 150.290,
2 150.300, 150.340, 150.360, 150.362(1), 150.485, 150.600, 150.630, or 150.660
3 shall be fined not less than fifty dollars (\$50) nor more than five hundred dollars
4 (\$500) or be imprisoned for not more than six (6) months, or both. Also, any person
5 violating the provisions of KRS 150.300 shall be assessed treble damages as
6 provided in KRS 150.690 or 150.700. Damages assessed under this subsection shall
7 be ordered to be paid directly to the department. The court shall not direct that the
8 damages be paid through the circuit clerk.
- 9 (5) Any person who violates any of the provisions of KRS 150.411, 150.412, or
10 150.417 shall be fined not less than one hundred dollars (\$100) nor more than five
11 hundred dollars (\$500).
- 12 (6) Any person who violates any of the provisions of KRS 150.183, 150.305, 150.365,
13 150.370, 150.330(1), 150.235(2), (3), or (4), or 150.363 shall be fined not less than
14 one hundred dollars (\$100) nor more than five hundred dollars (\$500) or
15 imprisoned for not more than six (6) months, or both.
- 16 (7) Any person who violates any of the provisions of KRS 150.460 shall be fined not
17 less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) or
18 imprisoned for not more than six (6) months, or both, and in addition to these
19 penalties shall be liable to the department in an amount not to exceed the
20 replacement value of the fish and wildlife which has been killed or destroyed. Costs
21 assessed for the restoration of wildlife under this subsection shall be ordered to be
22 paid directly to the department. The court shall not direct that the costs be paid
23 through the circuit clerk.
- 24 (8) Any person who violates the provisions of KRS 150.180, 150.520, 150.525, or
25 administrative regulations issued thereunder shall for the first offense be fined not
26 less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000);
27 and shall for a second offense be fined not less than five hundred dollars (\$500) nor

1 more than one thousand five hundred dollars (\$1,500); and for any subsequent
2 offense, be fined two thousand dollars (\$2,000).

3 (9) Any person who violates the provisions of KRS 150.520 or administrative
4 regulations issued thereunder shall, if the violation relates to methods of taking
5 mussels, for a first offense be imprisoned in the county jail for no more than thirty
6 (30) days; for a second offense be imprisoned in the county jail for no more than six
7 (6) months; and for any subsequent offense be imprisoned in the county jail for no
8 more than one (1) year. The penalties for violation of this subsection shall be in
9 addition to the penalties for violation of subsection (8).

10 (10) Any person who violates any of the provisions of KRS 150.4111, 150.640, or KRS
11 150.450(2) or (3) shall be fined not less than one hundred dollars (\$100) nor more
12 than one thousand dollars (\$1,000).

13 (11) Any person who violates any of the provisions of KRS 150.390 or KRS 150.092(4)
14 shall be fined not less than one hundred dollars (\$100) nor more than one thousand
15 dollars (\$1,000) or imprisoned for not less than thirty (30) days nor more than one
16 (1) year, or both. In addition to the penalties prescribed above, he or she shall forfeit
17 his or her license or, if license-exempt, the privilege to perform the acts authorized
18 by the license for a period of one (1) to three (3) years and shall be liable to the
19 department in an amount reasonably necessary to replace any deer, wild turkey, or
20 bear taken in violation of KRS 150.390 and for violations of KRS 150.092(4) shall
21 be liable to the landowner or occupant for reasonable compensation for damages.
22 Wildlife replacement costs assessed under this subsection shall be ordered to be
23 paid directly to the department. The court shall not direct that the damages be paid
24 through the circuit clerk. Damages assessed under this subsection shall be ordered
25 to be paid directly to the landowner or occupant. The court shall not direct that the
26 damages be paid through the circuit clerk. Any person who possesses, takes, or
27 molests a wild elk in violation of KRS 150.390 or administrative regulations

1 promulgated under authority of that section shall be fined not less than one
2 thousand dollars (\$1,000) nor more than five thousand dollars (\$5,000) or
3 imprisoned for up to six (6) months, or both. In addition to these penalties, the
4 person shall pay to the department an amount not to exceed the greater of the
5 replacement cost of the wild elk or double any monetary gain realized from the
6 illegal activity and shall forfeit his or her license or, if license-exempt, the privilege
7 to perform the acts authorized by the license for a period of one (1) to three (3)
8 years.

9 (12) Any person who violates any of the provisions of KRS 150.090 other than a
10 criminal homicide or an assault against an officer enforcing the provisions of this
11 chapter, KRS Chapter 235, or the administrative regulations issued thereunder shall
12 be guilty of a Class A misdemeanor.

13 (13) Any person who commits a criminal homicide or an assault against an officer
14 enforcing the provisions of this chapter, KRS Chapter 235, or the administrative
15 regulations issued thereunder shall be subject to the penalties specified for the
16 offense under KRS Chapter 507 or 508, as appropriate.

17 (14) A person shall be guilty of a Class B misdemeanor upon the first conviction for a
18 violation of KRS 150.710. A subsequent conviction shall be a Class A
19 misdemeanor.

20 (15) Any person who violates the provisions of KRS 150.092 or the administrative
21 regulations promulgated thereunder for which no other penalty is specified
22 elsewhere in this section shall for the first offense be fined not less than one
23 hundred dollars (\$100) nor more than three hundred dollars (\$300); for the second
24 offense, be fined not less than three hundred dollars (\$300) nor more than one
25 thousand dollars (\$1,000); and for subsequent offenses, shall forfeit the license or,
26 if license-exempt, the privilege to perform the acts authorized by the license, for
27 one (1) year and shall be fined not less than one thousand dollars (\$1,000) or be

1 imprisoned in the county jail for up to one (1) year, or both. In addition to the
2 penalties prescribed in this subsection, the violator shall be liable to the landowner
3 or tenant for the replacement cost of any property which was damaged or destroyed
4 by his or her actions. Damages assessed under this subsection shall be ordered to be
5 paid directly to the landowner or the tenant. The court shall not direct that the
6 damages be paid through the circuit clerk.

7 (16) (a) Any person who knowingly violates KRS 150.361 shall for a first offense be
8 fined not less than one hundred dollars (\$100) nor more than one thousand
9 dollars (\$1,000) or be imprisoned in the county jail for not more than six (6)
10 months, or both.

11 (b) Any person who knowingly violates KRS 150.361 shall for a second or
12 subsequent offense be fined not less than five hundred dollars (\$500) nor
13 more than one thousand five hundred dollars (\$1,500) or be imprisoned in the
14 county jail for not more than six (6) months, or both.

15 (c) In addition to the penalties specified in paragraphs (a), (b), and (d) of this
16 subsection, a person knowingly violating KRS 150.361 shall forfeit his or her
17 hunting license or, if license-exempt, the privilege to perform the acts
18 authorized by the license for a period of not less than one (1) nor more than
19 three (3) years.

20 (d) In addition to the penalties specified in paragraphs (a), (b), and (c) of this
21 subsection any person knowingly violating KRS 150.361 shall be liable to the
22 department in an amount not to exceed the greater of the replacement value of
23 any wildlife killed or wounded in violation of KRS 150.361 or double the
24 amount of the monetary gain from knowingly violating KRS 150.361.

25 (e) Wildlife replacement costs or other costs specified in paragraph (d) of this
26 subsection shall be ordered paid directly to the department. The court shall not
27 direct that the replacement costs be paid through the circuit clerk.

- 1 (17) Any person convicted of violating KRS 150.186 shall be guilty of a Class A
- 2 misdemeanor and shall, whether licensed or license-exempt, forfeit his or her right
- 3 to hunt, fish, trap, or be licensed as a guide for a period of ten (10) years.