

Stricken language would be deleted from and underlined language would be added to the law as it existed
prior to this session of the General Assembly.
Act 1377 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

A Bill

SENATE BILL 1080

5 By: Senators Higginbotham, Faris, Whitaker
6 By: Representatives Berry, Dickinson, Petrus
7
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For An Act To Be Entitled

10 AN ACT TO PROTECT THE HUNTING LANDS OF ARKANSAS;
11 TO ENSURE THAT LAND WILL ALWAYS BE AVAILABLE TO
12 THE CITIZENS OF ARKANSAS FOR PURPOSES OF HUNTING;
13 AND FOR OTHER PURPOSES.
14

Subtitle

15 AN ACT TO PROTECT THE HUNTING LANDS OF
16 ARKANSAS.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code Title 15, Chapter 41 is amended to add an
23 additional subchapter to read as follows:

24 15-41-301. Title.

25 This subchapter shall be known and may be cited as the "Arkansas
26 Hunting Heritage Protection Act".
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28 15-41-302. Findings.

29 The General Assembly finds that:

30 (1) Recreational hunting is an important and traditional
31 recreational activity in which some fourteen million (14,000,000) Americans
32 sixteen (16) years of age and older participate;

33 (2) Hunters have been and continue to be among the foremost
34 supporters of sound wildlife management and conservation practices in the
35 United States;



1 (3) Persons who hunt and organizations related to hunting
 2 provide direct assistance to wildlife managers and enforcement officers of
 3 federal, state, and local governments;

4 (4) Purchases of hunting licenses, permits, and stamps and
 5 payment of excise taxes on goods used by hunters have generated billions of
 6 dollars for wildlife conservation, research, and management;

7 (5) Recreational hunting is an essential component of effective
 8 wildlife management, in that it is an important tool for reducing conflicts
 9 between people and wildlife and provides incentives for the conservation of
 10 wildlife, habitats, and ecosystems on which wildlife depend; and

11 (6) Recreational hunting is an environmentally acceptable
 12 activity that occurs and can be provided for on state public lands without
 13 adverse effects on other uses of that land.

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 15 15-41-303. Definitions.

16 As used in this subchapter:

17 (1) "Commission" means the Arkansas State Game and Fish
 18 Commission;

19 (2) "Commission-managed lands" means those lands that:

20 (A) The commission owns; and

21 (B) Over which the commission holds management authority;

22 and

23 (3) "Hunting" means the lawful pursuit, trapping, shooting,
 24 capture, collection, or killing of wildlife or the attempt to pursue, trap,
 25 shoot, capture, collect, or kill wildlife.

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 27 15-41-304. Recreational hunting.

28 (a) Subject to valid existing rights, commission-managed lands shall
 29 be open to access and use for recreational hunting except as limited by the
 30 Arkansas State Game and Fish Commission for reasons of public safety or
 31 homeland security or as otherwise limited by law.

32 (b)(1) The commission shall exercise its authority consistent with
 33 subsection (a) of this section in a manner to support, promote, and enhance
 34 recreational hunting opportunities to the extent authorized by law.

35 (2) The commission is not required to give preference to hunting
 36 over other uses of commission-managed lands or over land or water management

1 priorities established by state law.

2 (c)(1) To the greatest practicable extent, commission land management
3 decisions and actions may not result in any net loss of land acreage
4 available for hunting opportunities on commission-managed lands that exists
5 on the effective date of this subchapter.

6 (2) This subchapter does not apply to commission-owned lands
7 under contract to private persons or entities.

8 (d) On or before October 1 of each year, the commission shall submit
9 to the House and Senate cochairs of the Legislative Council a written report
10 describing:

11 (1) The acreage administered by the commission that has been
12 closed during the previous year to recreational hunting and the reasons for
13 the closures; and

14 (2) The acreage administered by the commission that was opened
15 to recreational hunting to compensate for the acreage that was closed during
16 the previous year.

17 (e) This subchapter does not compel the opening to recreational
18 hunting of national parks or national monuments administered by the National
19 Park Service.

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22 **APPROVED: 3/29/2005**
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