

**CHAPTER 140**

Original Senate File No. 23

**WILDLIFE DEFINITIONS AND DAMAGE TO PRIVATE PROPERTY**

AN ACT to amend W.S. 23-1-101 and 23-3-115 relating to definitions of wildlife and taking and killing of certain animals; designating crustaceans as wildlife and fox squirrel as a small game animal; removing bobcat and weasel as predatory animals and defining them as furbearing animals; clarifying types of protected birds; providing that certain additional animals may be taken and killed when causing damage to private property; and providing for an effective date.

*Be It Enacted by the Legislature of the State of Wyoming:*

**Section 1.** W.S. 23-1-101 and 23-3-115 are amended to read:

**23-1-101. Definitions of wildlife.**

(a) As used in this act:

(i) "Big game animal" means antelope, bighorn sheep, deer, elk, moose or mountain goat;

(ii) "Exotic species" means any wild animals, including amphibians, reptiles, mollusks, crustaceans or birds not found in a wild, free or unconfined status in Wyoming;

(iii) "Furbearing animal" means badger, beaver, bobcat, marten, mink, muskrat or weasel;

(iv) "Game bird" means grouse, partridge, pheasant, ptarmigan, quail, wild turkey and migratory game birds;

(v) "Game fish" means bass, catfish, crappie, grayling, ling, northern pike, perch, salmon, sauger, sunfish, trout, walleye or whitefish;

(vi) "Migratory game bird" means all migratory game birds defined and protected under federal law;

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(vii) "Predacious bird" means English sparrow and starling;

(viii) "Predatory animal" means coyote, jackrabbit, porcupine, raccoon, red fox, wolf, skunk or stray cat;

(ix) "Protected animal" means black-footed ferret, fisher, lynx, otter, pika or wolverine;

(x) "Protected bird" means migratory birds as defined and protected under federal law;

(xi) "Small game animal" means cottontail rabbit or snowshoe hare, and fox, grey and red squirrels;

(xii) "Trophy game animal" means black bear, grizzly bear or mountain lion;

(xiii) "Wildlife" means all wild mammals, birds, fish, amphibians, reptiles, crustaceans and mollusks within Wyoming.

**23-3-115. Taking bear, mountain lion, wolf, bobcat, weasel, squirrels or muskrat for damaging property authorized; notice to game warden; tagging of skin.**

(a) Any bear, mountain lion, bobcat, weasel, gray, red, and fox squirrels or muskrat doing damage to private property may be immediately taken and killed by the owner of the property, employee of the owner or lessee of the property.

(b) The owner, employee or lessee shall immediately notify the nearest game warden of the killing of bear, bobcat, or mountain lion. The owner, employee or lessee shall save and care for the skin and procure a Wyoming game tag for the skin of black bear. Grizzly bear, or mountain lion skins shall be given to the department or its authorized personnel for disposition. If the hide has monetary value, the owner, employee or lessee shall save the carcass or hide of a bobcat and give it to the department or its authorized personnel for disposition. If the bobcat hide is sold, the department shall rebate fifty percent (50%) of the sale proceeds to the owner, employee or lessee.

**Section 2.** This act is effective May 25, 1979.

Approved March 6, 1979.