

§ 49-7-58.1. Regulation of enclosures preventing free egress of white-tailed deer.

(1) The owner of any enclosure containing white-tailed deer that prevents the free egress of white-tailed deer from the enclosed area shall notify and register with the Department of Wildlife, Fisheries and Parks. The person shall give his name, the location of the enclosure, the acreage within the enclosure, and whether any deer have been imported into the state and placed in the enclosure, and any other information required by the Commissioner on Wildlife, Fisheries and Parks.

(2) Persons who constructed an enclosure prior to July 1, 2003, shall have until January 1, 2004, to notify and provide the information required under this section. The person shall use acceptable hunting and wildlife management practices as may be determined by the department.

(3) The owner of such an enclosure shall comply with all rules and regulations promulgated by the Commission on Wildlife, Fisheries and Parks for the testing of white-tailed deer harvested within an enclosure, or whose death was due to causes other than hunting activity, as required by Section 49-7-58.6. If chronic wasting disease is diagnosed within five (5) miles of the enclosure, the owner of such enclosure shall allow department personnel to enter the enclosure to utilize the best collection methods possible to obtain tissue samples for testing. If chronic wasting disease is diagnosed within the enclosure, the owner shall work with the commission to determine a solution for containing the disease within the enclosure; however, the commission shall not declare surrounding or adjoining properties within a five (5) mile radius of the enclosure a CWD Management Zone, until chronic wasting disease is positively detected within such radius on these surrounding or adjoining properties.

(4) Violations of this section shall be punishable as provided in Section 49-7-58.6.

History

Laws, 2003, ch. 516, § 7; Laws, 2007, ch. 516, § 3, eff from and after July 1, 2007; Laws, 2020, ch. 307, § 3, eff from and after July 1, 2020; Laws, 2021, ch. 426, § 3, eff from and after passage (approved April 9, 2021).