

SESSION OF 2021

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2336

As Recommended by House Committee on
Agriculture

Brief*

HB 2336 would make it unlawful for a person to take or attempt to take a wildlife simulated device that is being used by a law enforcement officer for the purpose of enforcing state wildlife laws. The bill would define the term "wildlife simulated device" as any simulation or replication of wildlife, in whole or in part.

The bill would establish that upon conviction of violating the provisions of the bill, the penalty would be the same as prescribed for the unlawful taking of actual wildlife, excluding enumerated statutory penalties for big game trophy wildlife and restitution.

[*Note:* The term "take" in continuing law is defined in law to mean harass, harm, pursue, shoot, wound, kill, molest, trap, capture, collect, catch, possess or otherwise take, or attempt to engage in any such conduct.]

Background

The bill was introduced by the House Committee on Agriculture at the request of Representative Will Carpenter.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

House Committee on Agriculture

In the House Committee hearing, Representative Will Carpenter provided **proponent** testimony on the bill, stating the bill would clarify the taking of a wildlife simulated device would be illegal. **Proponent** testimony was also provided by the Secretary of Wildlife, Parks and Tourism and a representative of the National Deer Association. Written **proponent** testimony was submitted by a representative of Schell Holdings. No other testimony was provided.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, the Office of Judicial Administration (OJA) indicates additional cases could be filed, possibly resulting in additional time spent by judges in hearing cases and clerks processing those cases. Additional cases could also result in additional docket fees being collected. With the number of cases unknown, OJA cannot estimate a fiscal effect. The Department of Wildlife, Parks and Tourism indicates enactment of the bill would not affect the agency expenditures or revenues. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2022 Governor's Budget Report*.

Kansas Department of Wildlife, Parks and Tourism; wildlife; wildlife simulated devices; illegal taking