

## Q&A

### THE LAW

- **What is SB 1334?**

On April 29, 2011, Governor Jan Brewer signed SB 1334 into law. SB 1334 amends Arizona Revised Statutes §13-3107(C)(3) by permitting the discharge of a firearm within or into the limits of any municipality while lawfully taking wildlife during an open season as established by the Arizona Game and Fish Commission. The law takes effect on July 20, 2011.

- **What is SB 2543?**

In 2010 the governor signed HB 2543 into law (amending ARS §13-3108). This bill pre-empts the authority of political subdivisions to limit or prohibit the discharge of firearms in those parks and preserves approved as hunting areas by the Arizona Game and Fish Department.

- **What do these laws address?**

Throughout the years, vast tracts of undeveloped, uninhabited public lands have been annexed by various municipalities, with hunting typically curtailed or eliminated due to state laws, municipal and/or county ordinances prohibiting the discharge of firearms. These new state laws will allow for safe hunting opportunities closer to town where appropriate.

- **Was the bill sponsored by the Game and Fish Department?**

No. The bill was not sponsored by the Game and Fish Department, but the agency certainly applauds the effort to open undeveloped and uninhabited public lands to hunting.

- **How is private property affected?**

The change in the law does not allow any hunter to trespass on private property. However, it does allow private property owners (when compatible with Title 17) to allow access to hunt in a municipality where hunting would have previously been prohibited.

- **How much land does this affect?**

A rough estimate is 1.8 million acres.

- **What are the effects of these changes on municipalities and counties?**

Municipalities and counties can no longer restrict the discharge of firearms to take wildlife. Refer to Arizona Game and Fish regulations for legal methods of take and what areas are now open to hunting.

- **As a private landowner, can I post signs on my property indicating that access is prohibited for hunting?**

Yes. You would be responsible for the purchase and posting of those signs. (A.R.S. 17-304) However, remember wildlife is State property and may be taken in such times, such places, and such manner and devices as prescribed by the Arizona Game & Fish Commission. This means that private property can control access to their private property but they do not own the wildlife.

### Hunter Information

- **Will this require a special license?**

No special license is necessary, but the appropriate hunting license and permits are required (i.e. Migratory Game Bird stamps).

- **Will I be able to hunt in municipal parks?**

At this point in time, the answer is no except certain municipal parks may be open in the future. Keep checking the Arizona Game and Fish website and regulations for updated information.

- **Will I be able to hunt using a gun or archery equipment in county parks?**

Most will be closed, but some will be opened by Game and Fish Commission hunt orders, which are posted in the Game and Fish hunting regulations.

- **Where, when, and what can I hunt?**

All season dates, bag limits, and weapon types can be found in the hunting regulations published on an annual basis.

- **What are the benefits to hunters with this new law?**

Hunters can once again hunt many areas of undeveloped, uninhabited, rural land within municipal boundaries that were previously illegal to hunt. Hunters have the ability to stay closer to home, make shorter day trips, and preserves Arizona's outdoor heritage.

Law and Safety

- **Is this safe for me and my family?**

Statistically, hunting is a very safe activity. Most hunting activity occurs in remote locations where there is little chance of harm to people or property. Hunting in the urban/rural interface will mostly involve the use of shotguns, archery, or pneumatic weapons. These devices have limited effective ranges and at short distances, the projectiles lose energy and fall to the ground. More powerful firearms, such as center fire rifle, pistols, or muzzleloaders will be restricted from use in urban/rural interface areas.

- **How can I handle a situation when someone is hunting illegally with a firearm within ¼ mile of my home?**

Arizona Game and Fish law restricts the discharge of firearms to take wildlife within one-quarter mile of an occupied structure. It is also unlawful to discharge a firearm from a vehicle, or from, onto, or across a maintained road or railway. If you witness such a violation, ensure that the individual is truly within one quarter mile of your house and take good notes on the individual's description and vehicle. Call the Game and Fish Department's Operation Game Thief Hotline at 1-800-352-0700, or visit our website at [www.azgfd.gov/thief](http://www.azgfd.gov/thief) to report the violation.

- **What agency will be responsible for law enforcement of these activities?**

The Arizona Game and Fish Department has the primary law enforcement responsibility in Arizona for hunting, trapping, and fishing activities. Still, all state certified peace officers, whether state, county, or city enforcement agencies, can, and do, enforce state Game and Fish laws.

- **Is this new law compatible with other recreational activities (i.e. hiking and wildlife watching)?**

Yes. Most hunters prefer to hunt in remote locations away from humans and human activity. There may be times when a hunter might cross paths with other people who are engaged in non-hunting recreational activities. When these encounters occur, it is the hunter's responsibility to conduct themselves in a safe manner by evaluating safe shooting lanes and distances, and by following all Game and Fish laws and rules.

Hunting seasons are established on all species of huntable wildlife in Arizona, and most of these seasons are restricted to two weeks or less. Some species, such as rabbits or coyotes are open year-round. As such, most

hunting seasons are closed for the majority of the year so chance encounters with non-hunting recreationalists are restricted to only several weeks out of the year.

- **Will this new law allow people to hunt in my back yard?**

No. It is unlawful for the public to hunt, trap, fish, or trespass on private property unless they have permission from the property owner. In some circumstances it is the responsibility of the property owner to legally post their property to restrict access. Further, it is unlawful to discharge a firearm to take wildlife within one-quarter mile of an occupied structure.

- **What about noise?**

Discharge of a firearm while taking wildlife is not permitted within a ¼ mile of an occupied structure. This distance requirement should not disturb most homeowners.

- **When I encounter a sign in the field that an area is closed to hunting, but is supposed to be open, what should I do?**

Contact the Arizona Game and Fish Department. To hunt on private property, you must have permission from the property owner.

- **Will AGFD Law Enforcement be spread too thin because of this?**

No. The Arizona Game and Fish Department has a long history of proactively patrolling and enforcing Game and Fish laws statewide. The Department's Law Enforcement Division routinely gears up for upcoming hunts by scheduling extra officers from around the state to patrol areas where hunters are concentrated or where conflicts with the non-hunting public can occur. If a situation arises where extra enforcement is necessary, local city, county or state police agencies can be contacted to respond to a situation.

AZGFD Impacts

- **How does this benefit Sportsmen and the Department?**

The Department must implement SB 1334 and HB 2543. The new laws increase hunting opportunities for some people who are not able of travel long distances or take long periods of time off work. Hunting opportunities that are closer to home are more economical, which is an important consideration for many families. This is also a benefit to the Department. There is the potential to sell additional licenses, which is a critical element for an agency whose primary funding source comes from the hunting and angling community. Since the Department does not receive any general tax funds, any additional funds received supports the agency mission to conserve, enhance, and restore Arizona's diverse wildlife populations.

The number of people participating in hunting has been declining and the new laws may enhance hunter recruitment and retention because hunting areas will become more accessible. Research shows that the lack of places to hunt is a negative factor in hunting participation.