

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2680

As Amended by Senate Committee on
Natural Resources

Brief*

HB 2680 would modify a number of the cash bond amounts charged for violations of the of the Wildlife and Parks laws. Cash bonds are often required to ensure a person’s appearance in court. Some of the previous violations would be restructured by the bill.

The following is a list of the violations and the new cash bond amounts which could be increased at the discretion of the court.

Engaging in any activity without a required valid license or permit, other than a big game permit or a license or permit for commercial activity . . .	\$100
Engaging in any activity without a required stamp or other issue of the department	\$75
Engaging in any commercial activity without a required valid license or permit	\$500
Engaging in any big game hunting without a required valid big game permit	\$500
Making misrepresentation to secure license, permit, stamp, or other issue of the department	\$250
Taking wildlife, except big game, unlawfully (including but not limited to taking wildlife before or after legal taking hours, during closed season, or using unlawful equipment, means, or method)	\$100
Carrying unplugged shotgun	\$75
Exceeding bag or possession limit, except big game - \$25 for each animal in excess of the bag or possession limit, plus	\$75
Exceeding big game bag or possession limit - \$100 for each animal in excess of the bag or possession limit, plus	\$250
Unlawful transporting of wildlife	\$150
Taking big game unlawfully (including but not limited to taking big game before or after legal taking hours, during closed season, or using unlawful equipment, means, or method)	\$500

*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.accesskansas.org/legislature/>

Failing to wear and properly display required clothing during a big game hunting season	\$75
Taking wildlife when operating an amount of equipment in excess of that legally authorized	\$75
Exceeding creel or possession limit - \$25 for each animal in excess of the creel or possession limit, plus	\$75
Operating vessel without a certificate of number or registration	\$50
Operating vessel without proper display of required identification number	\$50
Failing to properly display required lights on vessel between sunset and sunrise	\$50
Operating vessel without correct number or approved types of adult personal flotation devices - \$25 for each adult personal flotation device violation, plus	\$50
Operating vessel without correct number or approved types of child personal flotation devices - \$50 for each child personal flotation device violation, plus	\$100
Operating vessel without required number of personal flotation devices readily accessible and in good and serviceable condition - \$25 for each personal flotation device violation, plus	\$50
Operating vessel without required number or approved types of fire extinguishers	\$50
Operating vessel in restricted area	\$50
Operating vessel without required observer or rearview mirror on vessel	\$50
Operating vessel without required equipment or in excess of capacity plate limitations	\$50
Unlawful altering, destroying, or removing of capacity plate	\$100

In addition, the bill would change the name of the Toronto State Park to the Cross Timbers State Park at Toronto Lake.

The bill would become effective upon publication in the *Kansas Register*.

Background

The original bill was introduced at the request of a spokesperson from the Kansas Department of Wildlife and Parks (KDWP). At the hearing on the bill the only conferee was a spokesperson from KDWP.

The spokesperson stated that an appearance bond is required only of nonresidents who are cited for KDWP violations, because of the practical difficulties in obtaining a judgement against a nonresident who fails to appear in court. The Committee was told that the bond amounts have not been examined for eight years. The Committee also was told that the bond amount was designed to be an appropriate deterrent, while recognizing the various levels of seriousness for different offenses.

The fiscal note on the original bill indicates that there is no fiscal effect on KDWP. The note does indicate that there could be a fiscal effect on the Judiciary. The note states that the fiscal impact of increasing the bond amounts cannot be estimated currently.

The Senate Committee on Natural Resources amended the provisions of SB 473 into the bill. These provisions would rename the Toronto State Park and change it to the Cross Timbers State Park at Toronto Lake.