

STATEMENT OF REASONS

CHAPTER 52

TAKE OF NONGAME WILDLIFE FROM WITHIN WYOMING

W.S. § 23-1-103 states it is the purpose of this act and the policy of the state to provide an adequate and flexible system for control, propagation, management, protection and regulation of all Wyoming wildlife.

W.S. § 23-1-302 (a)(xxii) directs and empowers the Wyoming Game and Fish Commission (Commission) to promulgate such regulations as the Commission considers necessary to carry out the intent of this act.

The Sixty-Eighth Legislature of the State of Wyoming 2025 General Session House Enrolled Act No. 15 removed “otter” from the definition of “protected animal” under W.S. 23-1-101 (a)(ix). Otters now fit into the definition of “wildlife”, W.S. § 23-1-101 (a)(xiii) and are managed as nongame mammals by the Commission under Chapter 52, Section 10. River otters may be taken with permits issued in accordance with Commission Regulation Chapter 33, Scientific Research, Educational or Special Purpose Permits and Chapter 56, Regulation Governing Lethal Taking of Wildlife.

Section 5(c) is updated to require that individuals unintentionally taking river otters, except for unintentional motor vehicle collisions, are required to notify a Wyoming Game and Fish Department law enforcement officer as soon as is reasonably possible. Language has been added to Section 5(c)(ii) requiring the unskinned carcass of an unintentionally taken river otter to be turned over to the Department as soon as is reasonably possible after notification of a Department law enforcement officer.

Section 5(c)(i) allows the pelts from unintentionally taken gray fox or swift fox to be retained or sold by the individual who took them if authorized by a Department law enforcement officer. Language has been added to require gray fox or swift fox pelts to be tagged by the Department. To better understand the distribution and population dynamics of these species, the individual seeking a tag shall provide certain information about the circumstances of take to the Department.

Section 7(a) lists species of reptiles and amphibians that may be taken with permits issued in accordance with Chapter 33. The taxonomic designation of some of these species has changed and the new scientific names are reflected here.

Minor grammatical and formatting edits have been incorporated to provide additional clarity but do not change the intent of the rules and regulations.