

115-16-4. Big game control permit; application, requirements, and provisions. (a) Big game animals may be controlled when found destroying property or when creating a public safety hazard.

(b) A big game control permit shall be required to use any lethal method in controlling big game.

(c) Any owner or operator of land may apply to the secretary for a big game control permit when a big game animal is found destroying property. Any person may apply to the secretary for a big game control permit when a big game animal is creating a public safety hazard. The application shall be submitted on forms provided by the department, and each applicant shall provide the following information:

- (1) The name of the applicant;
- (2) the address of the applicant;
- (3) the telephone number of the applicant;
- (4) the legal description of the land where the problem is occurring;
- (5) a description of the problem, including the number of acres involved; and
- (6) other information as required by the secretary.

(d) Issuance of a big game control permit may be denied by the secretary if any of the following conditions exists:

- (1) The permit application is unclear or incomplete.
- (2) The applicant does not agree to attempt to reduce numbers of big game by allowing hunting during the regular firearms season for the appropriate species of big game animal.

(3) Evidence of property destruction or a public safety hazard caused by a big game animal is lacking.

(4) Use of the lethal method of control would pose inordinate risk to the public or to the big game resource.

(e) In addition to any big game control provisions specified in the permit, the following general big game control permit provisions shall apply:

(1) The permit shall be valid for a period not to exceed 45 days.

(2) The permit shall be valid for only the locations specified in the permit.

(3) The number and type of big game that may be killed shall be those specified on the permit.

(4) The killing of big game under a big game control permit shall be restricted to the permittee or to the permittee's designated agent. A designated agent shall have a valid hunting license, unless exempt according to state law, and shall be approved by the department.

(5) The lethal control method shall be as specified on the permit.

(6) Big game killed under permit authority may be possessed as authorized by K.A.R. 115-4-9 or otherwise disposed of as specified on the permit.

(f) Each permittee shall submit a report to the department within 10 days following expiration of the permit. Each permittee shall provide the following information:

(1) The name of the permittee;

(2) the permit number;

(3) the number and type of big game killed;

(4) the disposition of the big game killed; and

(5) other information as required by the secretary.

(g) In addition to other penalties as prescribed by law, a big game control permit may be revoked by the secretary if either of the following conditions exists:

(1) The permit was secured through false representation.

(2) The permittee fails to meet permit requirements or violates permit conditions.

(Authorized by K.S.A. 32-807 and 1999 SB 70, §3; implementing K.S.A. 32-1002, K.S.A. 32-1004, and 1999 SB 70, §3; effective Sept. 10, 1990; amended June 11, 1999.)