

FIRST REGULAR SESSION

SENATE BILL NO. 38

91ST GENERAL ASSEMBLY

INTRODUCED BY SENATORS WESTFALL, STEELMAN AND BENTLEY.

Pre-filed December 1, 2000, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

0353S.021

AN ACT

To repeal section 252.040, RSMo 2000, relating to restrictions on reintroducing wild elk, and to enact in lieu thereof two new sections relating to the same subject, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 252.040, RSMo 2000, is repealed and two new sections enacted in lieu thereof, to be known as sections 252.035 and 252.040, to read as follows:

252.035. The department of conservation shall be financially responsible for any damage caused by wild elk, including but not limited to:

- (1) The value of crops and pasture damaged or destroyed by wild elk;**
- (2) Indemnification of losses suffered by livestock producers as a result of harassment or disease spread from wild elk;**
- (3) The value of fencing and other private property damaged by wild elk;**
- (4) Damages incurred to motor vehicles when such vehicles are involved in a collision with a wild elk; and**
- (5) Any personal injuries sustained due to a vehicle collision with an elk.**

252.040. **1.** No wildlife shall be pursued, taken, killed, possessed or disposed of except in the manner, to the extent and at the time or times permitted by such rules and regulations; and any pursuit, taking, killing, possession or disposition thereof, except as permitted by such rules and regulations, are hereby prohibited. Any person violating this section shall be guilty of a **class A** misdemeanor except that any person violating any of the rules and regulations pertaining to recordkeeping requirements imposed on licensed fur buyers and fur dealers shall be guilty of an infraction and shall be fined not less than ten dollars nor more than one hundred dollars.

2. Wild elk may be destroyed by the landowner or lessor of land when such wild

elk have caused any damage to such property.

T

Unofficial

Bill

Copy