

97A.421 VALIDITY AND ISSUANCE OF LICENSES AFTER CONVICTION.

Subdivision 1. **General.** (a) The annual license of a person convicted of a violation of the game and fish laws relating to the license or wild animals covered by the license is void when:

(1) a second conviction occurs within three years under a license to trap fur-bearing animals, take small game, or to take fish by angling or spearing;

(2) a third conviction occurs within one year under a minnow dealer's license;

(3) a second conviction occurs within three years for violations of section 97A.425 that do not involve falsifications or intentional omissions of information required to be recorded, or attempts to conceal unlawful acts within the records;

(4) two or more misdemeanor convictions occur within a three-year period under a private fish hatchery license;

(5) the conviction occurs under a license not described in clause (1), (2), or (4) or is for a violation of section 97A.425 not described in clause (3); or

(6) the conviction is related to assisting a person in the illegal taking, transportation, or possession of wild animals, when acting as a hunting or angling guide.

(b) Except for big game licenses and as otherwise provided in this section, for one year after the conviction the person may not obtain the kind of license or take wild animals under a lifetime license, issued under section 97A.473 or 97A.474, relating to the game and fish law violation.

Subd. 2. Issuance of license after conviction for buying and selling wild animals. A person may not obtain a license to take any wild animal or take wild animals under a lifetime license, issued under section 97A.473 or 97A.474, for a period of three years after being convicted of buying or selling game fish, big game, or small game, and the total amount of the sale is \$300 or more.

Subd. 2a. License revocation after conviction. (a) A person may not obtain a license to take a wild animal and is prohibited from taking wild animals for a period of five years after the date of conviction of:

(1) a violation when the restitution value of the wild animals is \$5,000 or more; or

(2) a violation when the restitution value of the wild animals exceeds \$500 and the violation occurs within ten years of one or more previous license revocations under this subdivision.

(b) A person may not obtain a license to take the type of wild animals involved in a violation when the restitution value of the wild animals exceeds \$500 and is prohibited from taking the type of wild animals involved in the violation for a period of three years after the date of conviction of a violation.

(c) The time period of multiple revocations under paragraph (a), clause (2), shall be consecutive and no wild animals of any kind may be taken during the entire period.

(d) The court may not stay or reduce the imposition of license revocation provisions under this subdivision.

Subd. 3. Issuance of a big game license after conviction. A person may not obtain any big game license or take big game under a lifetime license, issued under section 97A.473, for three years after the person is convicted of:

- (1) a gross misdemeanor violation under the game and fish laws relating to big game;
- (2) doing an act without a required big game license; or
- (3) the second violation within three years under the game and fish laws relating to big game.

Subd. 4. **Issuance after intoxication or narcotics conviction.** A person convicted of a violation under section 97B.065, relating to hunting while intoxicated or using narcotics, may not obtain a license to hunt with a firearm or by archery or hunt with a firearm or by archery under a lifetime license, issued under section 97A.473 or 97A.474, for five years after conviction.

Subd. 4a. **Suspension for failure to appear in court or pay a fine or surcharge.** When a court reports to the commissioner that a person (1) has failed to appear in court under the summons issued for a violation of the game and fish laws or (2) has been convicted of violating a provision of the game and fish laws, has been sentenced to the payment of a fine or had a surcharge levied against them, and refused or failed to comply with that sentence or to pay the fine or surcharge, the commissioner shall suspend the game and fish license and permit privileges of the person until notified by the court that the person has appeared in court under clause (1) or that any fine or surcharge due the court has been paid under clause (2).

Subd. 5. **Commissioner may reinstate certain licenses after conviction.** If the commissioner determines that the public welfare will not be injured, the commissioner may reinstate licenses voided under subdivision 1 and issue licenses to persons ineligible under subdivision 2 or 2a. The commissioner's authority applies only to licenses to:

- (1) maintain and operate fur or game farms, aquatic farms, or private fish hatcheries;
- (2) take fish by commercial netting;
- (3) buy fish from commercial netting licensees; and
- (4) sell or export turtles or live minnows.

Subd. 6. **Applicability to moose or elk licenses.** In this section the term "license" includes an application for a license to take either moose or elk.

Subd. 7. **Taking wild animals while privileges are suspended.** A person who takes a protected wild animal during the time the person is prohibited from obtaining a license to take that animal under this section is guilty of a misdemeanor.

History: 1986 c 386 art 1 s 57; 1987 c 149 art 1 s 27; 1987 c 373 s 3; 1992 c 589 s 1; 1997 c 226 s 21; 2000 c 341 s 4; 2001 c 185 s 26; 2002 c 270 s 6,7; 2002 c 351 s 6; 2004 c 215 s 9; 2007 c 131 art 1 s 25; 2009 c 176 art 2 s 19