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## Idaho Statutes

### TITLE 36 FISH AND GAME

#### CHAPTER 4 LICENSES TO HUNT, FISH AND TRAP

**36-409. GAME TAGS -- PERMITS -- FEES -- PENALTY.** (a) Resident Game Tags. A resident who has obtained authorization to hunt, as provided in section [36-401](#), Idaho Code, or has purchased or obtained a license to hunt, as provided in section [36-406](#), Idaho Code, upon payment of the fees provided herein shall be eligible to receive a resident game tag to hunt and kill a moose, bighorn sheep, mountain goat, elk, deer, antelope, mountain lion, bear, wolf, sandhill crane or turkey in accordance with the laws of this state and rules promulgated by the commission; provided further, that any person who holds a senior resident combination license or any person who holds a junior combination or hunting license or any disabled American veteran who holds a disabled combination license, may be issued a bear, deer, elk, or turkey tag for a fee as specified in section [36-416](#), Idaho Code; provided further, that resident game tags may be issued only to those persons who meet residency requirements of subsection (s) of section [36-202](#), Idaho Code. In the event an emergency is declared to open a season to protect private property as provided in section [36-106](#)(e)6.(B), Idaho Code, the affected landowner or his designee shall be eligible to receive a resident deer, elk or antelope tag without charge; provided further, that resident game tags may be issued only to persons who qualify as residents pursuant to section [36-202](#), Idaho Code.

(b) Nonresident Game Tags. A nonresident who has purchased a license to hunt, as provided in section [36-407](#)(a) or (k), Idaho Code, or has obtained a license to hunt, as provided in section [36-406](#)(e), Idaho Code, or a resident who has purchased or obtained a license or authorization to hunt, as provided in section [36-401](#) or [36-406](#), Idaho Code, upon payment of the fees provided herein, shall be eligible to receive a nonresident tag to hunt and kill a moose, bighorn sheep, mountain goat, elk, deer, antelope, mountain lion, bear, wolf, sandhill crane or turkey in accordance with the laws of this state and rules promulgated by the commission; provided further, that a nonresident who has purchased a license to hunt, as provided in section [36-407](#)(k), Idaho Code, shall be eligible to receive a junior mentored deer, elk, bear, or turkey tag for a fee as specified in section [36-416](#), Idaho Code.

(c) Game Tags Required. The appropriate tag must be had for the hunting or taking of each and every one of the aforementioned wildlife. The commission shall promulgate rules to allow exception from tag possession to take wildlife for a disabled hunter companion who is assisting a hunter possessing the appropriate tag and a valid disabled combination license or a disabled archery permit or a disabled hunt motor vehicle permit or who is a disabled veteran participating in a hunt as provided in section [36-408](#)(7), Idaho Code. Provided, however, that the requirements for a wolf tag, a mountain lion tag or a bear tag, as to different periods of time and areas of the state, shall be determined and specified by the commission. Provided further, that the commission may promulgate rules to allow a nonresident deer or elk tag to be used to hunt and kill either a bear, wolf or a mountain lion during the open season for deer or elk in that area, unit or zone as may be specified by the commission. All of said tags are to bear and have serial numbers.

(d) Game Tag to Be Validated and Attached to Carcass. As soon as any person kills any wildlife for which a tag is required, said tag, belonging to him, must be validated and attached to said wildlife in a manner provided by commission rule.

(e) Archery Permits. In addition to meeting the license and tag requirements provided in this chapter, any person participating in any controlled or general game season which has been specifically designated as an archery hunt must have in his possession an archery hunt permit, which may be purchased for a fee as specified in section [36-416](#), Idaho Code.

(f) Muzzleloader Permit. In addition to meeting the license and tag requirements provided in this chapter, any person participating in any controlled or general game season which has been specifically designated as a muzzleloader hunt must have in his possession a muzzleloader permit, which may be purchased for a fee as specified in section [36-416](#), Idaho Code.

(g) Hound Hunter Permit -- Resident -- Nonresident. Any person using a dog for the purpose of hunting or for taking, as defined in section [36-202](#), Idaho Code, big game or furbearing animals must have in his possession a valid hound hunter permit, which may be purchased by resident and nonresident license holders for a fee as specified in section [36-416](#), Idaho Code.

(h) Nonresident Bird of Prey Capture Permit. The commission may, under rules as it may prescribe, issue a nonresident bird of prey capture permit. This capture permit may be purchased by any licensed, nonresident falconer for capturing birds of prey in Idaho. The fee for the permit shall be as specified in section [36-416](#), Idaho Code, and the permit shall be issued under the condition that the nonresident's home state allows reciprocal raptor capturing privileges for Idaho falconers.

(i) Wildlife Management Area (WMA) Upland Game Bird Permit. The commission may, under rules as it may prescribe, issue a wildlife management

area upland game bird permit that must be purchased by all persons over seventeen (17) years of age prior to hunting stocked upland game birds on state wildlife management areas designated by the commission. The fee for the permit shall be as specified in section [36-416](#), Idaho Code.

j) Bear Baiting Permit. The commission may, under rules as it may prescribe, issue a bear baiting permit. Any person placing or using bait as may be allowed by rule for the purpose of attracting bear must have in his possession a valid bear baiting permit, which may be purchased by a license holder for a fee as specified in section [36-416](#), Idaho Code.

k) Migratory Bird Harvest Information Program Permit. The commission may, as provided by federal laws or regulations and under rules as it may prescribe, issue a migratory bird harvest information program permit that must be purchased by all persons prior to hunting migratory game birds as required by federal law or regulations. The fee for the permit shall be as specified in section [36-416](#), Idaho Code.

l) Dog Field Trial Permit. The commission may, under rules as it may prescribe, issue a dog field trial permit to any person using birds for dog field trials or training as may be allowed by rule. The permit may be purchased for a fee as specified in section [36-416](#), Idaho Code.

m) Idaho Nursing Home Facility Resident Fishing Permit. The commission may, under rules as it may prescribe, issue an Idaho nursing home facility resident fishing permit that must be purchased by an Idaho nursing home facility to allow residents of its facility to fish during the open season. Facilities eligible to purchase this permit are: intermediate care facilities providing twenty-four (24) hour skilled nursing care, assisted living facilities providing twenty-four (24) hour extensive assistance, and skilled nursing facilities providing twenty-four (24) hour skilled nursing. By purchasing this permit the facility assumes full responsibility for and control over the facility residents while using the permit. All laws, rules and proclamations apply to the use of this permit and it is the responsibility of the facility to assure compliance with all laws, rules and proclamations. In case of a violation the facility shall be held accountable and any citations shall be issued to the facility. The permit may be purchased for a fee as specified in section [36-416](#), Idaho Code.

n) Disabled American Veteran Game Tags. Any nonresident disabled American veteran participating in a hunt in association with a qualified organization may be issued a bear, deer, elk or turkey tag for a fee as specified in section [36-416](#), Idaho Code. "Qualified organization," as used in association with these tags, shall be as defined in section [36-408](#)(7), Idaho Code.

History:

[36-409](#), added 1976, ch. 95, sec. 2, p. 337; am. 1978, ch. 171, sec. 1, p. 391; am. 1980, ch. 339, sec. 4, p. 875; am. 1981, ch. 98, sec. 3, p. 144; am. 1982, ch. 230, sec. 1, p. 606; am. 1984, ch. 197, sec. 2, p. 486; am. 1986, ch. 7, sec. 2, p. 47; am. 1986, ch. 52, sec. 5, p. 154; am. 1987, ch. 253, sec. 1, p. 515; am. 1988, ch. 209, sec. 1, p. 391; am. 1990, ch. 6, sec. 1, p. 11; am. 1990, ch. 372, sec. 5, p. 1032; am. 1991, ch. 290, sec. 1, p. 749; am. 1992, ch. 81, sec. 7, p. 228; am. 1993, ch. 27, sec. 2, p. 95; am. 1994, ch. 118, sec. 1, p. 267; am. 1995, ch. 176, sec. 1, p. 658; am. 1997, ch. 203, sec. 1, p. 578; am. 1998, ch. 175, sec. 4, p. 621; am. 1998, ch. 298, sec. 3, p. 985; am. 1998, ch. 357, sec. 4, p. 1119; am. 1999, ch. 55, sec. 1, p. 141; am. 2000, ch. 211, sec. 12, p. 556; am. 2001, ch. 139, sec. 1, p. 500; am. 2001, ch. 171, sec. 1, p. 586; am. 2001, ch. 206, sec. 1, p. 699; am. 2002, ch. 234, sec. 5, p. 690; am. 2007, ch. 35, sec. 1, p. 81; am. 2007, ch. 73, sec. 2, p. 198; am. 2010, ch. 102, sec. 1, p. 198; am. 2011, ch. 88, sec. 3, p. 186; am. 2011, ch. 109, sec. 3, p. 285; am. 2012, ch. 102, sec. 1, p. 272; am. 2016, ch. 207, sec. 1, p. 583.]

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