



§259. Open season; method of taking animals; prohibited devices; possession and sale of skins

A. The open season for taking nongame quadrupeds, in any area of one or more parishes shall be fixed by the commission. The commission may extend, curtail or prohibit the trapping in any area of the state each year.

B. The commission shall at its discretion open or close the season for the taking or possession of alligators by area within the state. The commission shall also prescribe methods of taking alligators and hours within which alligators may be taken.

C.(1) Nongame furbearing quadrupeds may be taken in the open trapping season, but only by properly licensed trappers, and only by means of a trap. Except as provided in Paragraph (2) of this Subsection, the use of dogs or of guns or other firearms, bows and arrows, gigs, spears, pitchforks, or other weapons or any like devices in hunting and taking nongame quadrupeds, or the use of explosives, chemicals, and smokes of any kind to drive furbearing quadrupeds out of their holes, dens, or houses is prohibited. Raccoons, nutria, and opossums may be taken for sport as provided for in R.S. 56:116.1, and nutria in open season may be taken additionally by the use of a standard .22 caliber rifle only between the hours of sunrise and sunset. Beaver may be taken as provided for in R.S. 56:105. This Subsection does not apply to the methods or means by which alligators may be taken.

(2) Notwithstanding the provisions of any other law to the contrary, dogs may be used during the taking of nutria between the hours of sunrise and sunset, except during deer season where still hunting only is allowed and during turkey nesting season as determined by the commission.

D. The taking of alligators is prohibited between the hours of sunset and sunrise. The taking of alligators out of season is prohibited.

E. Nothing contained in this Subpart shall deprive landowners and lessees of agricultural or forest lands or their agents, representatives, and employees, of their right to kill nutria and beaver as a pest without a license on agricultural or forest lands owned or leased by them or in residential areas, or in waterways and on the banks of waterways adjacent to the agricultural lands, except during open trapping season, a license shall be required. Nutria and beaver may be taken at any time and by any means in these areas except that nutria and beaver cannot be taken by use of a headlight and gun between the hours of sunset and sunrise.

F. No pelting during the closed trapping season shall be permitted at any time, except with department authorization. The sale of carcasses of nongame quadrupeds is prohibited during the closed trapping season, except with department authorization. The provisions of this Subsection do not apply to nongame quadrupeds raised on farms.

G. Licensed trappers may hold in captivity live nongame quadrupeds, except alligators, during the open trapping season. Such animals must have been acquired by legal trapping methods. Such animals held in captivity by a trapper must be released or pelted by the last day of the open trapping season. However, a licensed trapper may apply for a nongame quadruped breeder's or exhibitor's license, as provided for in R.S. 56:262.1, and continue holding such animals in captivity as long as the license has not expired. A licensed trapper, holding any live nongame quadrupeds except alligators, may offer for sale such live animals to any licensed nongame quadruped breeder or exhibitor during the open trapping season. During any such transaction, a bill of sale must be provided by the trapper to the nongame breeder or exhibitor and retained for a period of one year.

H. Violation of any of the provisions of this Section except for Subsections C, D, and F constitutes a class two violation. Violation of any of the provisions of Subsections C, D, or F constitutes a class four violation.

Acts 1970, No. 550, §1; Amended by Acts 1980, No. 596, §1; Acts 1981, No. 838, §1; Acts 1982, No. 730, §2; Acts 1988, No. 88, §1; Acts 1992, No. 499, §1, eff. June 22, 1992; Acts 1992, No. 528, §1, eff. June 29, 1992; Acts 1995, No. 154, §1; Acts 1997, No. 304, §1; Acts 1999, No. 71, §1; Acts 1999, No. 160, §1; Acts 2001, No. 226, §1.