

Use only for **FINAL** and **EMERGENCY RULES**



Revised 7/2015 to reflect new legislation passed in the 2015 Regular Session (Act 1258). This act changed the effective date from 30 days to 10 days after filing the rule.

06.02 Certain Firearms And Ammunition Prohibited During Modern Gun Deer Seasons

- A. It is unlawful to hunt deer during statewide modern gun deer seasons with:
1. Prohibited alternative firearms described in Code [06.03](#) (B-F);
 2. Any .410 shotguns using ammunition other than slugs;
 3. Any shotguns using shot smaller than No. 4 buckshot;
 4. Handguns with either:
 - i. Barrels shorter than 4 inches,
 - ii. Conventional straight-walled calibers less than .30, or
 - iii. Bottleneck-case calibers less than .22;
 5. Rifles or handguns using rimfire cartridges in compliance with Code [06.11](#);
 6. Any centerfire rifle smaller than .22 caliber; or
 7. Air Rifles, except big bore air rifles that meet all of the following requirements:
 - i. A minimum of .40 caliber;
 - ii. Produce a minimum of 400 foot pounds of muzzle energy;
 - iii. Are charged via an external tank; and
 - iv. Propels a single, expandable slug.
- B. It also is unlawful for any person to hunt deer during modern gun deer seasons in Deer Zones 4 or 5 with any firearms other than the following:
1. Shotguns (.410 or larger) with slugs only;
 2. Legal alternative firearms (Code [06.03](#));
 3. Handguns having barrels no less than 4 inches in length and chambered specifically for straight-wall centerfire cartridge cases less than .30 caliber; or
 4. Big bore air rifles that meet all of the following requirements:
 - i. A minimum of .40 caliber;
 - ii. Produce a minimum of 400 foot pounds of muzzle energy;
 - iii. Are charged via an external tank; and
 - iv. Propel a single, expandable slug.

EXCEPTION:

During Modern gun season only: Longbows, compound bows or crossbows capable of firing or holding ready-to-fire more than one arrow or bolt simultaneously or in succession without the string being re-cocked between shots.

PENALTY: Class 1

Arkansas Game and Fish Commission
Little Rock, Arkansas

MINUTE ORDER NO:	<u>24-030</u>	SUBJECT:	<u>2024-25 General Hunting Regulation</u>
DATE PASSED:	<u>July 25, 2024</u>		<u>Corrections and Clarifications</u>
PAGE <u>1</u> of <u>2</u> PAGES		LOCATION:	<u>Statewide</u>

WHEREAS, the Arkansas Game and Fish Commission adopted the proposed package of General Hunting and Captive Wildlife regulations for 2024-2025, including for game hunting seasons, bag limits, geographic zones, wildlife management areas, boating access, weapon restrictions, captive wildlife, and manner-of-taking-game requirements for alligator, bear, deer, elk, furbearing animals, quail, rabbit, squirrel, turkey, dove, waterfowl, and other game species at its May 2024 meeting; **and**

WHEREAS, staff have identified certain of those regulations adopted at the May 2024 Commission meeting that require correction or clarification to better express their intent; and those regulations, as corrected and clarified, are attached; **and**

WHEREAS, the changes to these regulations adopted in May 2024 were communicated through a variety of media avenues to sportsmen and the general public throughout the state for review and comment for at least 30 days, and the attached proposed revisions are corrections or clarifications to those adopted changes to better express their intent; **and**

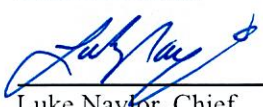
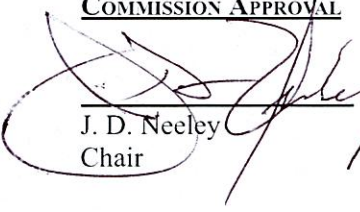
WHEREAS, after carefully considering the recommendations of the Director, Commission staff, and the Regulations Committee, as well as comments previously received from the public, the Commission has determined that all of the attached regulation corrections and clarifications are needed to better express the intent of the previously adopted regulations, promote sound fish and wildlife conservation and management, and are consistent with Amendment 35 of the Arkansas Constitution and that these regulations should now be approved for application statewide.

NOW, THEREFORE, BE IT ORDERED this 25th day of July 2024, that the Arkansas Game and Fish Commission hereby approves and adopts the attached amended regulations that shall become effective on August 5, 2024, or as soon thereafter as is possible.

BE IT FURTHER ORDERED that the Commission staff is authorized to proceed with legally certifying and filing the attached amended regulations with the Secretary of State, State Library, and Bureau of Legislative Research, and incorporating them into the Commission Code Book and Addendum.

STAFF APPROVAL

Submitted by:


Luke Naylor, ChiefCOMMISSION APPROVAL
J. D. Neeley
Chair
Bill Jones
Commissioner

AF.

Division:

Wildlife

Approved:

Director

Approved:

Legal

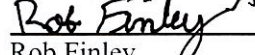
Approved:

Fiscal



Anne Marie Doramus

Vice Chair



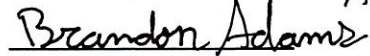
Rob Finley

Commissioner



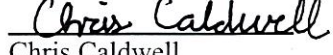
Philip Tappan

Commissioner



Brandon Adams

Commissioner



Chris Caldwell

Commissioner

FINANCIAL / ECONOMIC IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

(Attach additional pages if needed)

DEPARTMENT: Arkansas Game & Fish Commission

DIVISION: Wildlife Management Division

PERSON COMPLETING THIS STATEMENT: Sandee Schultz

TELEPHONE #: 501-382-9092 **FAX #:**

EMAIL: sandee.schultz@agfc.ar.gov

SHORT TITLE OF THIS RULE: 06.02 Certain Firearms and ammunition Prohibited during Modern gun Deer Season

1. Does this proposed, amended, or repealed rule or regulation have a financial impact?

Yes: No: ☒

2. Do you believe that the development of a financial impact statement is so speculative as to be cost prohibitive? Yes: No: N/A If "Yes", please explain:

3. If the purpose of this rule is to implement a **federal** rule or regulation, please give the incremental cost for implementing the regulation. Please indicate if the cost provided is the cost of the program.

Current Fiscal Year

General Revenue	\$	
Federal Funds	\$	
Cash Funds	\$	N/A
Special Revenue	\$	
Other (Identify)	\$	
Total	\$	

Next Fiscal Year

General Revenue	\$	
Federal Funds	\$	
Cash Funds	\$	N/A
Special Revenue	\$	
Other (Identify)	\$	
Total	\$	

4. What is the total estimated cost by fiscal year to any **party** subject to the proposed, amended, or repealed rule? (Estimated cost includes fees, administrative penalties, reporting, record keeping, equipment, construction, labor, professional services, revenue loss, or other costs associated with compliance.) Identify the **party** subject to the proposed rule, and explain how they are impacted.

Current Fiscal Year: \$ 0

Next Fiscal Year: \$ 0

Party Subject to Rule: N/A

Effect on Party Subject to Rule: N/A

5. What is the total estimated cost by fiscal year to the **agency** to implement this rule? Explain the financial benefit to the agency from implementing this rule.

Current Fiscal Year: \$ 0

Next Fiscal Year: \$ 0

Financial Benefit to Agency: None

6. Do alternative means exist for accomplishing the objectives of the rules that might be less burdensome to small business? Yes: No: ☒

Why were such alternatives not proposed:

7. Compare this rule with federal and state counterparts: N/A

LEGAL NOTICE

The regular monthly meeting of the Arkansas Game and Fish Commission will be held beginning at 9:00 a.m. Thursday, July 18, 2024, at the Arkansas Game & Fish Headquarters located at 2 Natural Resources Drive, Little Rock, AR 72205. At that time, regulations and business pertaining to the operation of the Game and Fish Commission and other fiscal and administrative matters will be considered and acted upon. Additionally, Committee meetings attended by Commissioners and agency staff members will be held throughout the day on Wednesday, July 17, 2024, beginning at 8:00 a.m. at the Arkansas Game & Fish Headquarters located at 2 Natural Resources Drive, Little Rock, AR 72205. All interested persons are invited to attend these meetings.

The Commission meeting on July 18th will be live-streamed and a link for easy viewing access will be available on the agency website. Please visit the Arkansas Game and Fish Commission website at <https://www.agfc.com> for additional up-to-date details as the meeting dates draw closer.

Items on the agenda for the July 18, 2024 meeting will include discussion and/or adoption of proposed regulations that previously were considered at the May 15-16 and June 19-20, 2024 Commission Meetings, plus consideration of various Hunting and Fishing Regulations and regulations pertaining to the Enforcement Division of the Arkansas Game and Fish Commission, including but not limited to:

1. **General Hunting Regulations** – Adopt general hunting regulations for 2024-2025 and 2025-2026. Changes to regulations include, but are not limited to:
 - Modify the existing code that prohibits possession of a firearm while archery or crossbow hunting bear, deer, or turkey, to allow person tracking wounded big game to possess a firearm legal for the hunting season;
 - Add back the Nonresident Turkey Tag (NRT) to allow Nonresident Annual Hunting License (NBG) holders to add one turkey tag at a discounted price over the standalone Non-Resident Annual Turkey Hunting License (NRTT);
 - Clarify firearms and ammunition that are unlawful for use during the modern gun season;
 - Prohibit non-semiautomatic straight-walled rifles during the modern gun season in Zones 4 and 5;
 - Clarify that the handgun caliber that can be used during the statewide modern gun season must be .30 or larger consistent with the code requirement in Zones 4 and 5 and alternative firearms season;
 - Clarify that hunting with only lead and lead alloy, soft-nose, and/or hollow point bullets is not required in Zones 4 and 5;
 - Allow the use of rifles firing straight-walled cartridges .30 caliber or larger in Deer Zones 4 and 5 for modern gun deer season;
 - Remove certain killing device requirements for the private land antlerless modern gun deer hunt;
 - Prohibit arrows propelled by the action of an explosive or combustible propellant and shotguns during alternative firearms season;
 - Modify exception to allow non-semiautomatic centerfire firearms firing straight-walled metallic cartridges .30 caliber or larger during alternative firearms season;

- Modify exception to allow use of handguns having barrels no less than 4 inches in length and chambered specifically for straight-walled centerfire cartridges cases .30 caliber or larger during the alternative firearms season;
- Clarify that it is unlawful to use a dog to chase any wildlife during the day from April 1-May 15 or in any open spring turkey season, alternative firearms deer season, or modern gun deer season, in a zone where hunting with dogs is prohibited or to possess a killing device while using a dog to chase wildlife, with the exception that dogs may be used to chase fox or coyote within fox or coyote enclosures day or night all year;
- Clarify that Nonresidents may not use dogs to chase deer except during the last nine days of the regular modern gun season;
- Clarify that Nonresidents may use dogs for deer hunting on private and public land only during the last nine days of the regular modern gun deer season in Deer Zones 6, 7, 8, 10, 11, 12, 13, 14, 15, 16A, and 17 and on WMAs open to hunting deer;
- Remove restriction to allow the use of dogs for hunting deer during private land antlerless only modern gun deer season;
- Include exception to season restrictions during permit hunts on WMAs to allow deer to be hunted during the buck-only archery hunt;
- Allow hunting deer with dogs during modern gun deer season during specific dates on Blue Mountain, Dardanelle, DeGray Lake, Gum Flats, Lake Greeson, Provo, Mount Magazine, Nimrod Lloyd Millwood, and Ozark Lake WMAs;
- Restrict dogs from islands within Blue Mountain, Dardanelle, DeGray Lake, Nimrod Lloyd Millwood, and Ozark Lake WMAs, except for hunting furbearers at night and waterfowl;
- Modify archery and crossbow deer seasons and limits to clarify the early season archery hunt (i.e., velvet hunt) is restricted to bucks only and no more than one deer may be harvested;
- Clarify that alternative firearms season opens in accordance with season dates and weapon restrictions set by the U.S. Fish and Wildlife Service on Bald Knob, Cache River, Overflow, and Pond Creek NWRs;
- Clarify that alternative firearms season and alternative firearms permit hunt opens in accordance with season dates and weapon restrictions set by the U.S. Fish and Wildlife Service on Dale Bumpers White River NWR;
- Clarify that the alternative firearms permit hunt opens in accordance with season dates and weapon restrictions set by the U.S. Fish and Wildlife Service on Felsenthal NWR;
- Modify the limit during the alternative firearms permit hunt on Bell Slough WMA to 2 deer, consisting of 1 buck and 1 doe;
- Clarify that the limit during the modern gun special youth permit hunt and modern gun youth hunt on Bell Slough WMA is 4 deer, consisting of 2 bucks (no antler restrictions) and 2 does;
- Allow Nonresidents to take 1 deer during the last nine days of the modern gun season on Blue Mountain, Dardanelle, DeGray Lake, Gum Flats, Lake Greeson, Mount Magazine WMA, Nimrod Lloyd Millwood, Ozark Lake, and Provo WMAs;
- Modify modern gun season dates on Brushy Creek WMA to the second Saturday in November for 9 days and December 26-28 annually;
- Add an alternative firearms permit hunt on Camp Robinson SUA to be held the third Saturday in October for 3 days;

- Allow the taking of 1 buck and 1 doe with alternative firearm and modern gun permit on Camp Robinson SUA;
- Allow the taking of 1 antlered buck or antlerless with alternative firearms permit on Fort Chaffee WMA;
- Clarify the seasonal limit on Hobbs State Park-Conservation Area to include 4 deer, with no more than 1 antlered buck (no antler restrictions);
- Remove erroneous, outdated references to Ozark National Forest WMA;
- No longer require that a doe be harvested and checked at the refuge check station before a second buck may be harvested with any weapon on Pond Creek NWR;
- Modify season limits on Pond Creek NWR to include 1 buck with archery, 3 does with archery, 1 buck or up to 2 does with alternative firearms, 1 buck and 1 doe with modern gun permit, limit during the mobility-impaired permit hunt is 3 deer with no more than 1 buck or up to 3 does;
- Clarify limits on Stone Prairie WMA during alternative firearms permit hunt, modern gun special youth hunt, and modern gun youth hunt to include 2 deer, consisting of 1 buck (no antler restrictions) and 1 doe;
- Modify bear season dates on Harold E. Alexander Spring River WMA during alternative firearms season to the third Saturday in October for 5 days (deer permit holders only, zone quota does not apply), statewide limit applies.

All persons wishing to be heard on these subjects should submit comments in writing to this office before the start of the July 18, 2024 meeting (preferably by 4:30 p.m. on the day before). Any request to make an oral presentation at the meeting should be submitted in writing to this office on or before July 8, 2024. Copies of any proposed rules or regulations may be obtained at the Arkansas Game and Fish Commission main office and at www.agfc.com, or through a written request mailed to the address below.

If you need assistance to participate in this public meeting due to a disability as defined under the Americans with Disabilities Act, please contact AGFC's ADA Coordinator in Human Resources at 501-382-3813 at least three (3) business days prior to the scheduled meeting to request an accommodation. Every reasonable effort will be made to meet your request.

AUSTIN BOOTH, DIRECTOR
 Arkansas Game & Fish Commission
 Game & Fish Commission Building
 2 Natural Resources Drive
 Little Rock, Arkansas 72205

LEGAL NOTICE

The Arkansas Game and Fish Commission will hold a special meeting beginning at 10:00 a.m. Thursday, July 25, 2024, at the Arkansas Game and Fish Commission Headquarters located at 2 Natural Resources Drive, Little Rock, AR 72205. At that time, regulations and business pertaining to the operation of the Game and Fish Commission and other fiscal and administrative matters will be considered and acted upon. All interested persons are invited to attend this meeting.

This special Commission meeting will be live-streamed and a link for easy viewing access will be available on the agency website. Please visit the Arkansas Game and Fish Commission website at <https://www.agfc.com> for additional up-to-date details as the meeting date draws closer.

Items on the agenda for the special meeting will include discussion and/or adoption of proposed regulations that previously were considered at the June 19-20 & July 17-18, 2024 Commission meetings and were previously summarized in the newspaper notice(s) published June 16-18, 2024.

All persons wishing to be heard on these subjects should submit comments in writing to this office before the start of the July 25, 2024 meeting (preferably by 4:30 p.m. on the day before). Copies of any proposed rules or regulations may be obtained at the Arkansas Game and Fish Commission main office and at www.agfc.com, or through a written request mailed to the address below.

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