The following regulations have been adopted and published in the Kansas Register. They will become effective on the final date listed in the history section that follows each regulation. Regulations become effective 15 days after publication in the Kansas Register unless a later effective date is given in the body of the regulation.

State of Kansas
Department of Wildlife, Parks and Tourism

Permanent Administrative Regulations

Article 1.—DEFINITIONS

115-1-1. Definitions. (a) Except as specified in subsection (b), the following definitions shall apply to all of the department’s regulations:

1. “Arrow” means a missile shot from a bow or a crossbow.

2. “Artificial lure” means a man-made fish-catching device used to mimic a single prey item. Artificial lures may be constructed of natural, nonedible, or synthetic materials. Multiple hooks, if present, shall be counted as a single hook on an artificial lure.

3. “Bag limit” means the maximum number of any species, except fish and frogs, that may be taken by a person in a calendar day.

4. “Bait fish” means a member of the minnow or carp family (Cyprinidae), sucker family (Catostomidae), top minnows or killifish family (Cyprinodontidae), shad family (Clupeidae), and sunfish family (Centrarchidae), but excluding black basses and crappies. The fish listed in K.A.R. 115-15-1 and in K.A.R. 115-15-2 shall not be considered as bait fish.

5. “Bird dog” means a dog used to point, flush, or retrieve game birds, migratory birds, or both.

6. “Bow” means a handheld device with a cord that connects both of its two ends and that is designed to propel an arrow. This term shall include long, recurve, and compound bows.

7. “Bridle path” means an established, maintained, and marked pathway for the riding of animals.

8. “Camping” means erecting a shelter or arranging bedding, or both, or parking a recreation vehicle or other vehicle for the purpose of remaining overnight.

9. “Camping unit” means any vehicle or shelter specifically used for sleeping upon a portion of department lands or waters.

10. “Cast net” means a circular or conical weighted net designed to be cast mouth-downward by hand and withdrawn by lines attached to its margin.

11. “Creel limit” means the maximum total number of any species of fish or frogs that may be taken by a person in a calendar day.

12. “Crossbow” means a transverse-mounted bow with a cord that connects the two ends and that is designed to propel an arrow, including compound crossbows. The arrow is released by a mechanical trigger.

13. “Culling” means replacing one live fish held by an angler for another live fish of the same species if the daily creel limit for that species of fish has not been met.

14. “Department lands and waters” means state parks, state lakes, recreational grounds, wildlife areas, sanctuaries, fish hatcheries, natural areas, historic sites, and other lands, waters, and facilities that are under the jurisdiction and control of the secretary through ownership, lease, license, cooperative agreement, memorandum of understanding, or other arrangement.

15. “Depth finder” means an electronic device used to locate fish or determine underwater structures.

16. “Dip net” means a handheld net that has rigid support about the mouth and is used to land fish.

17. “Draft livestock” means horses, mules, donkeys, and oxen used singly or in tandem with other horses, mules, donkeys, and oxen for pulling purposes.

18. “Drag event” means a competitive event in which hounds pursue a scent trail. The event may involve a caged, pen-raised furbearer that is not released from the cage during the event.

19. “Dryland set” means any trapping device that is placed or set on land or is not in contact with water.

20. “Eyass” means a young of the year raptor not yet capable of flight.


22. “Falconry” means the taking of wildlife with a trained raptor.

23. “Field trial event for dogs” means a competitive event involving at least six dogs that are judged on hunting or running ability.

24. “Firearm” means a rimfire or centerfire rifle, handgun, or shotgun; a muzzleloading shotgun, rifle, or handgun; or a cap-and-ball pistol.


27. “Fishing line” means any hand-operated string or cord, utilizing hooks that may be used in conjunction with rods, poles, reels, bows, or spearguns.

28. “Fish trap” means a device for catching fish consisting of a net or other structure that diverts the fish into an enclosure arranged to make escape more difficult than entry.

29. “Fully automatic firearm” means a firearm capable of firing more than one round with a single trigger pull.

30. “Gaff” means a hook attached to a rigid pole.

31. “Gig” means a hand-operated spear with one or more prongs with or without barbs.

32. “Group camping area” means any area within a state park designated by posted notice for camping by organized groups.

33. “Haggard” means an adult raptor in mature plumage.

34. “Hook” means a device with a single shaft and one or more points with or without barbs, used for catching fish and frogs.

35. “Imping” means the repair of damaged feathers.

36. “Kill site” means the location of the wildlife carcass as positioned in the field immediately after being harvested.

37. “Length limit” means the minimum length of a fish allowed in order to take it and not release it to the
water immediately. For the purpose of this paragraph, the length of the fish shall be measured from the tip of
the snout to the end of the tail, with the mouth closed and
the tail lobes pressed together.

(38) “Moorage site” means a location designated for
the fastening or securing of a vessel.

(39) “Nonsport fish” means common carp, silver carp,
bighead carp, black carp, grass carp, drum, threadfin
and gizzard shad, goldfish, gar, suckers including carpsuckers
and buffalo, eel, sturgeon, goldeye, white perch, and
bowfin.

(40) “Orthopedic device” means a device that attaches
to the body and is required to enable a handicapped per-
son to walk.

(41) “Overflow camping area” means an area in a state
park that is separate from the designated overnight camp-
ing area and that may be used for a maximum of 24 con-
tinuous hours of camping if no alternative camping facil-
ties are available within reasonable driving distances.

(42) “Passage” means an immature raptor on first fall
migration still in immature plumage.

(43) “Pen-raised wildlife” means any wildlife raised in
captivity.

(44) “Pets” means domesticated wildlife, including
dogs and cats.

(45) “Possession limit” means the maximum total
number of a species that can be retained per person at
any one time.

(46) “Prime camping site” means any site within a state
park so designated by posted notice of the secretary and
subject to an additional charge.

(47) “Raptors” means members of the order Falconi-
formes or Strigiformes and specifically falcons, hawks,
and owls.

(48) “Raw pelt” means the undressed skin of an animal
with its hair, wool, or fur in its natural state, without hav-
ing undergone any chemical preservation converting the
skin to a leather condition.

(49) “Recreational vehicle” means a vehicle or trailer
unit that contains sleeping or housekeeping accommoda-
tions, or both.

(50) “Running” means the pursuing or chasing of fur-
bearers or rabbits with hounds. This term shall not in-
clude the capturing, killing, injuring, or possessing of
furbearers or rabbits or having a firearm or other weapon
in possession while running, except during established
furbearer or rabbit hunting seasons.

(51) “Sanctioned or licensed coyote field trial” means a
competitive event that involves only sight or trail hounds
and that has been advertised in one of the national fox-
hound journals at least 30 days before the event.

(52) “Sanctioned or licensed furbearer field trial” means
a competitive event in which dogs pursue unre-
strained furbearers and that is sanctioned or licensed by
any of the national kennel or field dog organizations for
the express purpose of improving the quality of the breed
through the awarding of points or credits toward specific
class championships or other national recognition.

(53) “Seine” means a net with a float line and lead line
designed to be pulled through the water for the purpose
of catching fish.

(54) “Set line” means a string or cord that is anchored
at one point by an anchor weighing at least 25 pounds or
is attached to a fixed and immovable stake or object, does
not have more than two hooks, and is not associated with
a hand-operated mechanical reel.

(55) “Sight hound” means a dog used to pursue fur-
bearers, rabbits, hares, or coyotes by sight.

(56) “Skin and scuba diving” means swimming or div-
ing while equipped with a face mask or goggles, allow-
ing underwater vision and possibly involving an under-
water breathing apparatus.

(57) “Snagging” means the hooking of a fish in any part
of its anatomy other than the inside of the mouth.

(58) “Speargun” means a device used to propel a spear
through the water by mechanical means or compressed
gas.

(59) “Sport fish” means northern pike, walleye, sau-
geye, sauger, yellow perch, striped bass, white bass,
black bass including largemouth, spotted, and small-
mouth bass, striped bass hybrid, trout, muskellunge, ti-
ger muskie, channel catfish, blue catfish, flathead catfish,
paddlefish, and panfish including bullhead, black and
white crappie, bluegill, redear sunfish, green sunfish,
warmouth, and rock bass.

(60) “State fishing lake” means a department facility
that contains the words “state fishing lake” in the name
of the area.

(61) “Tip-up” means an ice fishing device designed to
signal the strike of a fish.

(62) “Trail hound” means a dog used to trail fur-
bearers, rabbits, hares, or coyotes by scent.

(63) “Transfer” means any of the following:
(A) To reassign one’s license, permit, or other issue of
the department to another individual;
(B) to exchange any license, permit, or other issue of
the department between individuals; or
(C) to carry another individual’s license, permit, or
other issue of the department when that individual is not
present.

(64) “Trot line” means a string or cord anchored at one
or more points that does not have more than 25 hooks and
is not associated with a hand-operated mechanical reel.

(65) “Turkey” means wild turkey.

(66) “Unattended fishing line” means any fishing line
set to catch fish that is not marked or tagged as required
by K.A.R. 115-7-2 or K.A.R. 115-17-11 and not immedi-
ately attended by the operator of the fishing line.

(67) “Wake” means the waves thrown by a vessel mov-
ing on water.

(68) “Water race” means a competitive event in which
hounds pursue a scent device or a caged, pen-raised
furbearer through water. The furbearer is not released
during the event.

(69) “Water set” means any trapping device that has the
grasping portion at least half-submerged when placed
or set in flowing or pooled water and remains at least
half-submerged in contact with the flowing or pooled
water.

(b) Exceptions to the definitions in this regulation shall
include the following:
(1) The context requires a different definition.
(2) The defined term is specifically defined differently
within the department’s other regulations. (Authorized

Article 2.—FEES, REGISTRATIONS AND OTHER CHARGES

115-2-1. Amount of fees. The following fees and discounts shall be in effect for the following licenses, permits, and other issues of the department: (a) Hunting licenses and permits.

Resident hunting license (valid for one year from date of purchase) ................................................. $25.00
Resident hunting license (valid for five years from date of purchase) ........................................... 100.00
Resident disabled veteran hunting license (valid for one year from date of purchase, 30 percent or more service-connected disabled) ................................................................. 12.50
Resident senior hunting license (valid for one year from date of purchase, 65 years of age through 74 years of age)............................... 12.50
Resident youth hunting license (one-time purchase, valid from 16 years of age through 20 years of age, expiring at the end of that calendar year) ......................... 40.00
Nonresident hunting license (valid for one year from date of purchase) ........................................ 95.00
Nonresident junior hunting license (under 16 years of age) .............................................................. 40.00
Resident big game hunting permit:
  General resident: either-sex elk permit .......................................................... 300.00
  General resident: antlerless-only elk permit .................................................. 150.00
  General resident youth (under 16 years of age): either-sex elk permit ........... 125.00
  General resident youth (under 16 years of age): antlerless-only elk permit ...... 50.00
  Landowner/tenant: either-sex elk permit ..................................................... 150.00
  Landowner/tenant: antlerless-only elk permit .............................................. 75.00
  Hunt-on-your-own-land: either-sex elk permit .......................................... 150.00
  Hunt-on-your-own-land: antlerless-only elk permit ................................... 75.00
  General resident: deer permit ................................................................. 40.00
  General resident youth (under 16 years of age): deer permit ...................... 10.00
  General resident: antlerless-only deer permit ........................................... 20.00
  General resident youth (under 16 years of age): antlerless-only deer permit... 7.50
  Landowner/tenant: deer permit .............................................................. 20.00
  Hunting license (valid for one year from date of purchase, 65 years of age through 74 years of age) ................................................................. 12.50
  Antelope preference point service charge .................................................. 10.00
  Any-deer preference point service charge .................................................. 10.00
  Application fee for elk permit .................................................................... 10.00

Wild turkey permit:
  General resident: turkey permit (1-bird limit) ............................................. 25.00
  General resident youth (under 16 years of age): turkey permit (1-bird limit) .... 5.00
  Resident landowner/tenant: turkey permit (1-bird limit) ........................... 12.50
  Nonresident: fall turkey permit (1-bird limit) ........................................... 50.00
  Nonresident tenant: fall turkey permit (1-bird limit) .................................. 25.00
  Nonresident: spring turkey permit (1-bird limit) ........................................ 60.00
  Nonresident tenant: spring turkey permit (1-bird limit) ........................... 30.00
  Nonresident youth (under 16 years of age):
    turkey permit (1-bird limit) ................................................................. 10.00
  Resident: turkey preference point service charge .................................... 5.00

Wild turkey game tag:
  Resident: turkey game tag (1-bird limit) ................................................... 15.00
  Resident youth (under 16 years of age):
    turkey game tag (1-bird limit) ............................................................... 5.00
  Nonresident: turkey game tag (1-bird limit) ........................................... 30.00
  Nonresident youth (under 16 years of age):
    turkey game tag (1-bird limit) ............................................................... 5.00

Spring wild turkey permit and game tag combination (2-bird limit, must be purchased before April 1 of year of use):
  General resident: turkey permit and game tag combination (2-bird limit) .... 35.00
  General resident youth (under 16 years of age):
    turkey permit and game tag combination (2-bird limit) ......................... 17.50
  Nonresident: turkey permit and game tag combination (2-bird limit) ........ 85.00
  Nonresident tenant: turkey permit and game tag combination (2-bird limit) . 42.50
  Nonresident youth (under 16 years of age): turkey permit and
game tag combination (2-bird limit) ....................................................... 20.00

Nonresident big game hunting permit:
  Nonresident hunt-on-your-own-land: deer permit ..................................... 85.00
  Nonresident tenant: deer permit ............................................................ 85.00
  Nonresident: deer permit (antlered deer) .............................................. 400.00
  Nonresident youth (under 16 years of age): deer permit (antlered deer) .... 75.00
  Nonresident: deer permit (antlerless only) ............................................ 50.00
  Nonresident: combination 2-deer permit (antlered deer and antlerless white-tailed deer) 415.00
  Nonresident youth (under 16 years of age):
    combination 2-deer permit (antlered deer and antlerless white-tailed deer) 90.00
  Nonresident: antelope permit (archery only) ........................................ 300.00
  Nonresident tenant: antelope permit ..................................................... 85.00
  Nonresident youth (under 16 years of age):
    antelope (archery only) ................................................................. 100.00
  Nonresident tenant: either-sex elk permit ............................................. 300.00
  Nonresident tenant: antlerless-only elk permit .................................... 150.00
  Nonresident: deer permit application fee ............................................ 25.00
  Nonresident: mule deer stamp ............................................................ 150.00
  Field trial permit: game birds .............................................................. 20.00
  Lifetime hunting license ................................................................. 500.00
  or eight quarterly installment payments of .............................................. 67.50
  Migratory waterfowl habitat stamp ..................................................... 8.00
  Sandhill crane hunting permit: validation fee ....................................... 5.00
  Disabled person hunt-from-a-vehicle permit .......................................... 0

(b) Fishing licenses and permits.

Resident fishing license (valid for one year from date of purchase) ..................... 25.00
Resident fishing license (valid for five years from date of purchase) ................. 100.00
Resident disabled veteran fishing license (valid for one year from date of purchase, 30 percent or more service-connected disabled) .................. 12.50
Resident senior fishing license (valid for one year from date of purchase, 65 years of age through 74 years of age) 12.50
Resident youth fishing license (one-time purchase, valid from 16 years of age through 20 years of age, expiring at the end of that calendar year) ............... 40.00
Nonresident fishing license (valid for one year from date of purchase) ............. 50.00
Resident calendar day fishing license ....................................................... 3.50
Nonresident calendar day fishing license ................................................ 7.50
Three-pole permit (valid for one year from date of purchase) .......................... 6.00
Tournament bass pass (valid for one year from date of purchase) ................... 12.00
Paddlefish permit (six carcass tags) ....................................................... 10.00
Paddlefish permit youth (under 16 years of age) (six carcass tags) ................. 5.00
Hand fishing permit ................................................................. 25.00
Lifet ime fishing license ................................................................. 500.00
or eight quarterly installment payments of .............................................. 67.50
Five-day nonresident fishing license ....................................................... 25.00
Institutional fishing license ................................................................. 100.00
Special nonprofit group fishing license .................................................... 50.00
Trout permit (valid for one year from date of purchase) ................................ 12.00
Youth trout permit (under 16 years of age, valid for one year from date of purchase) 4.50

(c) Combination hunting and fishing licenses and per-
mats.

Resident combination hunting and fishing license .......................... 45.00
Resident combination hunting and fishing license (valid for five years from date of purchase) .............. 180.00
Resident disabled veteran combination hunting and fishing license (valid for one year from date of purchase, 30 percent or more service-connected disabled) .................. 22.50
Resident senior combination hunting and fishing license (valid for one year from date of purchase, 65 years of age through 74 years of age) .................. 22.50
Resident combination youth hunting and fishing license (one-time purchase, valid from 16 years of age through 20 years of age, expiring at the end of that calendar year) ....... 70.00
Resident lifetime combination hunting and fishing license or eight quarterly installment payments of .......... 96.00
Resident senior lifetime combination hunting and fishing license (one-time purchase, valid 65 years of age and older) .............................. 40.00
Nonresident combination hunting and fishing license (valid for one year from date of purchase) ........ 135.00

(d) Furharvester licenses.

Resident furharvester license (valid for one year from date of purchase) ........................................ 25.00
Resident junior furharvester license (valid for one year from date of purchase) .................................. 12.50
Lifetime furharvester license or eight quarterly installment payments of ................................. 500.00
Nonresident furharvester license (valid for one year from date of purchase) ....................... 250.00
Nonresident bobcat permit (1-bobcat limit per permit)..................................................... 100.00
Resident fur dealer license ........................................................................................................... 100.00
Nonresident fur dealer license ................................................................................................... 400.00
Field trial permit: furbearing animals ......................................................................................... 20.00

(e) Commercial licenses and permits.

Controlled shooting area hunting license (valid for one year from date of purchase) ...................... 25.00
Resident mussel fishing license ................................................................................................. 75.00
Nonresident mussel fishing license ......................................................................................... 1,000.00
Muscle dealer permit ................................................................................................................ 200.00
Missouri river fishing permit .................................................................................................... 25.00
Game breeder permit ................................................................................................................ 10.00
Controlled shooting area operator license .................................................................................. 200.00
Commercial dog training permit ............................................................................................... 20.00
Commercial fish bait permit (three-year permit) ........................................................................ 50.00
Commercial prairie rattlesnake harvest permit (without a valid Kansas hunting license) ........... 20.00
Commercial prairie rattlesnake harvest permit (with a valid Kansas hunting license or exempt from this license requirement) ......................................................... 5.00
Commercial prairie rattlesnake dealer permit .............................................................................. 50.00
Prairie rattlesnake round-up event permit .................................................................................. 25.00

(f) Collection, scientific, importation, rehabilitation, and damage-control permits.

Scientific, educational, or exhibition permit .................................................................................. 10.00
Raptor propagation permit .......................................................................................................... 0
Rehabilitation permit .................................................................................................................... 0
Wildlife damage-control permit ................................................................................................ 0
Wildlife importation permit ......................................................................................................... 10.00
Threatened or endangered species: special permits ..................................................................... 0

(g) Falconry.

Apprentice permit ......................................................................................................................... 75.00
General permit .................................................................................................................................. 75.00
Master permit ................................................................................................................................ 75.00
Testing fee ................................................................................................................................. 50.00

(h) Miscellaneous fees.

Duplicate license, permit, stamp, and other issues of the department ................................................ 0
Special departmental services, materials, or supplies ...................................... At cost
Vendor bond ................................................................................................................................. 0

For bond amounts of $5,000.00 and less ................................................................. 50.00
For bond amounts of more than $5,000.00 ............................................................. 50.00 plus $6.00 per additional $1,000.00 coverage or any fraction thereof.

(i) Discounts.

Discount for five or more licenses, permits, stamps, or other issues of the department purchased by an individual at the same time ........................................... five percent of the total price


Article 4.—BIG GAME

115-4-4a. Wild turkey; legal equipment and taking methods. (a) Hunting equipment for the taking of wild turkey during a wild turkey archery season shall consist of the following:

1. Archery equipment.

(A) No bow or arrow shall have any electronic device attached to the bow or arrow that controls the flight of the arrow. Devices that may be attached to a bow or arrow shall include lighted pin, dot, or holographic sights; illuminated nocks; rangefinders; film or video cameras; and radio-frequency location devices.

(B) Each arrow used for hunting shall be equipped with a broadhead point incapable of passing through a ring with a diameter of three-quarters of an inch when fully expanded. A wild turkey hunter using archery equipment may possess non-broadhead-tipped arrows while hunting if the arrows are not used to take or attempt to take wild turkeys.

2. Crossbows using arrows that are equipped with broadhead points incapable of passing through a ring with a diameter of three-quarters of an inch when fully expanded. A wild turkey hunter using crossbow equipment may possess non-broadhead-tipped arrows while hunting if the arrows are not used to take or attempt to take wild turkeys.

No crossbow or arrow shall have any electronic device attached to the crossbow or arrow that controls the flight of the arrow. Devices that may be attached to a crossbow or arrow shall include lighted pin, dot, or holographic sights; illuminated nocks; rangefinders; film or video cameras; and radio-frequency location devices.

(b) Hunting equipment for the taking of wild turkey during a wild turkey firearm season shall consist of the following:

...
(1) Archery and crossbow equipment as authorized in subsection (a); and
(2) shotguns and muzzleloading shotguns using only size two shot through size nine shot.
(c) Legal accessory equipment for the taking of wild turkey during any wild turkey season shall consist of the following:
(1) Lures; decoys, except live decoys; and nonelectric calls;
(2) blinds and stands;
(3) range-finding devices, if the devices do not project visible light toward the target; and
(4) optical scopes or sights that project no visible light toward the target and do not electronically amplify visible light or detect infrared light or thermal energy.
(d) Shooting hours for wild turkey during each day of any turkey hunting season shall be from one-half hour before sunrise to sunset.
(e) Each individual hunting turkey shall shoot or attempt to shoot a turkey only while the turkey is on the ground or in flight.
(f) Dogs may be used while hunting turkey, but only during the fall turkey season.
(g) Firearm report-suppressing devices may be used.
(h) Handguns may be possessed during all wild turkey seasons. However, no handgun shall be used to take wild turkeys. (Authorized by and implementing K.S.A. 2019 Supp. 32-807 and K.S.A. 2019 Supp. 32-969; effective April 22, 2005; amended April 13, 2007; amended April 11, 2008; amended May 21, 2010; amended April 20, 2012; amended April 19, 2013; amended Dec. 25, 2020.)

Article 7.—FISH AND FROGS

115-7-3. Fish; taking and use of baitfish or minnows. (a) Baitfish may be taken for noncommercial purposes by any of the following means:
(1) A seine not longer than 15 feet and four feet deep with mesh not larger than ¼ inch;
(2) a fish trap with mesh not larger than ¼ inch and a throat not larger than one inch in diameter;
(3) a dip or cast net with mesh not larger than one inch; or
(4) a fishing line.
(b) Each fish trap shall be tagged with the operator’s name and address when the fish trap is in use.
(c) Baitfish taken, except gizzard shad, silver carp, and bighead carp, shall not exceed 12 inches in total length. Silver carp and bighead carp shall not be transported from the water alive.
(d) The possession limit shall be 500 baitfish.
(e) For the species specified in this subsection, the department’s applicable creel and possession limits shall apply.
Live baitfish, crayfish, leeches, amphibians, and mussels, except for bluegill and green sunfish from non-designated aquatic nuisance waters and baitfish, crayfish, leeches, amphibians, and mussels from designated aquatic nuisance waters, may be caught and used as live bait only within the common drainage where caught. However, live baitfish, crayfish, leeches, amphibians, and mussels shall not be transported and used above any upstream dam or barrier that prohibits the normal passage of fish. Bluegill and green sunfish collected from non-designated aquatic nuisance waters may be possessed or used as live bait anywhere in the state. Live baitfish, crayfish, leeches, amphibians, and mussels collected from designated aquatic nuisance waters shall be possessed or used as live bait only while on that water and shall not be transported from the water alive.
(f) No person shall import live baitfish that does not meet the requirements of K.A.R. 115-17-2 and K.A.R. 115-17-2a.


115-7-10. Fishing special provisions. (a) A person who takes any fish from a body of water shall not tag, mark, brand, clip any fin of, mutilate, or otherwise disfigure any fish in a manner that would prevent species identification, examination of fins, recovery of tags, or determination of sex, age, or length of the fish before releasing the fish back into the body of water, unless a permit authorizing this activity has been issued to that person by the department.
(b) No person may possess any live fish upon departure from any designated aquatic nuisance body of water, except during a department-permitted fishing tournament. During a department-permitted fishing tournament, any individual may possess live fish upon departure from designated aquatic nuisance waters along the most direct route to the weigh-in site if the individual possesses a department authorization certificate as a participant in the tournament. Designated aquatic nuisance species waters shall be those specified in the department’s “Kansas aquatic nuisance species designated waters,” dated October 16, 2020, which is hereby adopted by reference.
(c) No person may fish or collect bait within, from, or over a fish passage, fish ladder, fish steps, or fishway. “Fish passage, fish ladder, fish steps, or fishway” shall mean a structure that facilitates the natural migration of fish upstream on, through, or around an artificial barrier or dam. (Authorized by and implementing K.S.A. 2019 Supp. 32-807; effective Nov. 20, 2009; amended Jan. 1, 2012; amended Jan. 1, 2013; amended Nov. 15, 2013; amended Nov. 14, 2014; amended Nov. 30, 2015; amended Nov. 28, 2016; amended Dec. 22, 2017; amended Jan. 11, 2019; amended Dec. 20, 2019; amended Dec. 25, 2020.)

Article 18.—SPECIAL PERMITS

115-18-10. Importation and possession of certain wildlife; prohibition, permit requirement, and restrictions. (a) The importation, possession, or release in Kansas of the following live wildlife species shall be prohibited, except as authorized by terms of a wildlife importation permit issued by the secretary:

(1) Walking catfish (Clarias batrachus);
(2) silver carp (Hypophthalmichthys molitrix);
(3) bighead carp (Hypophthalmichthys nobilis);
(4) black carp (Mylopharyngodon piceus);
(5) snakehead fish (all members of the family Channidae);
(6) round goby (Neogobius melanostomus);
(7) white perch (Morone americana);
(8) zebra mussel (Dreissena polymorpha);
(9) quagga mussel (Dreissena bugensis);
(10) New Zealand mudsnail (Potamopyrgus antipodarum);
(11) diploid grass carp (Ctenopharyngodon idella);
(12) marbled crayfish (Procambarus virginalis);
(13) monk parakeet (Myiopsitta monachus);
(14) Asian raccoon dog (Nyctereutes procyonoides);
(15) crucian carp (Carassius carassius);
(16) largescale silver carp (Hypophthalmichthys harmaundi);
(17) Prussian carp (Carassius gibelio);
(18) wels catfish (Silurus glanis);
(19) Eurasian minnow (Phoxinus phoxinus);
(20) stone moroko (Pseudorasbora parva);
(21) European perch (Perca fluviatilis);
(22) Nile perch (Lates niloticus);
(23) roach (Rutilus rutilus);
(24) amur sleeper (Percottus glenii);
(25) zander (Sander lucioperca); and
(26) common yabby (Cherax destructor).

(b) Any live member of a wildlife species listed in subsection (a) and possessed before the following dates may be retained in possession, in closed confinement, by making application to the secretary that provides information detailing the circumstances, including the location, by which the animal came into the applicant’s possession:

(1) February 1, 1978 for fish and bird species other than black carp, snakehead fish, round goby, white perch, zebra mussel, quagga mussel, New Zealand mudsnail, and diploid grass carp;
(2) February 1, 1986 for mammal species;
(3) October 1, 2000 for black carp;
(4) May 1, 2003 for snakehead fish;
(5) August 1, 2004 for round goby, quagga mussel, and zebra mussel;
(6) May 15, 2005 for New Zealand mudsnail;
(7) February 15, 2007 for white perch;
(8) January 1, 2008 for diploid grass carp;
(9) January 30, 2019 for marbled crayfish; and
(10) January 1, 2021 for crucian carp, largescale silver carp, Prussian carp, wels catfish, Eurasian minnow, stone moroko, European perch, Nile perch, roach, amur sleeper, zander, and common yabby.

The manner in which the animal is to be used shall be identified in the application.

(c) Any wildlife importation permit for the importation or possession of live members of the wildlife species listed in subsection (a) may be issued by the secretary for experimental, scientific, display, or other purposes subject to any conditions and restrictions contained or referenced in the wildlife importation permit.

(d) Each individual wanting to import or possess live members of the wildlife species listed in subsection (a) shall apply to the secretary for a wildlife importation permit. The application shall be submitted on forms provided by the department and shall contain the following information:

(1) The name, address, and telephone number of applicant;
(2) the wildlife species to be imported or possessed and the number of wildlife involved;
(3) the purpose or purposes for importation or possession;
(4) a description of the facilities for holding and using the wildlife species;
(5) a description of plans to prevent the release of the wildlife species; and
(6) other relevant information as requested by the secretary.

(e) Each wildlife importation permit, once issued, shall be valid during the time period specified on the permit.

(f) In addition to other penalties prescribed by law, any wildlife importation permit may be refused issuance or revoked by the secretary if any of the following conditions is met:

(1) The application is incomplete or contains false information.
(2) Issuance of a permit would not be in the best interests of the public or of the natural resources of Kansas.

115-18-12. Trout permit; requirements, restrictions, and permit duration. (a) Each individual who wants to fish or to fish for and possess trout during those periods of time on those bodies of water established by K.A.R. 115-25-14 shall be required to have a trout permit.

(b) Each trout permit shall be valid statewide for one year from the date of purchase.


Brad Loveless
Secretary

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State of Kansas
Department of Wildlife, Parks and Tourism
Permanent Administrative Regulations

Article 14.—FALCONRY

115-14-12. Falconry; permits, applications, and examinations. (a) Except as provided in this regulation, any individual engaged in falconry who possesses a current Kansas falconry permit or a current falconry permit from another state may engage in falconry activities as authorized by law or regulation. The permittee shall be in the immediate possession of the permit while trapping, transporting, working with, or flying a falconry raptor. Each falconer wanting to capture a raptor from the wild shall comply with K.A.R. 115-14-14. The permittee shall not be required to have immediate possession of the falconry permit while the raptor is located on the permitted premises of the falconry facility but shall produce the permit upon request for inspection by any law enforcement officer authorized to enforce the provisions of this regulation.

(b) Each individual wanting to engage in falconry shall submit an application to the secretary for the appropriate permit, on forms provided by the department. The application shall require at least the following information to be provided:

(1) The applicant’s name;
(2) the applicant’s address;
(3) the address of the facilities where the raptors are to be kept;
(4) the species and number of raptors to be permitted in accordance with the limitations specified in this regulation;
(5) the applicant’s date of birth;
(6) the applicant’s social security number;
(7) the level of falconry permit being applied for; and
(8) any additional relevant information that may be required for the type of permit as described within this regulation.

(c) Each falconry permit shall be valid from the date of issuance through December 31 in the third calendar year after issuance. A falconry permit may be renewed without the examination otherwise required by this regulation if the permit is renewed before the current permit expires.

(d) Each individual holding a current valid falconry permit from another state, moving to Kansas with the intent to establish residency, and wanting to bring that individual’s legally permitted raptors into the state shall meet the following requirements:

(1) The individual shall apply for the appropriate level of Kansas falconry permit within 30 days after moving into the state. The determination of which level of falconry permit is appropriate for the applicant shall be based on the requirements of subsections (j), (k), and (l).

(2) The individual shall not be required to take the department’s falconry examination specified in paragraph (j)(3).

(3) The individual shall notify the state where the individual formerly resided of the individual’s move, within 30 days of moving to Kansas.

(4) Any falconry birds held by the individual under the former permit may be retained during the permit application and issuance process in Kansas if the birds are kept in an appropriate facility as specified in K.A.R. 115-14-13.

Each permanent facility to house falconry birds possessed under this subsection shall be constructed, inspected, and approved in accordance with K.A.R. 115-14-13 before the issuance of the Kansas falconry permit.

(e) Each individual whose permit has lapsed shall be required to maintain the individual’s permit in accordance with this subsection.

(1) Any individual whose Kansas falconry permit has lapsed for fewer than five years may be reinstated at the level previously held if the individual submits a complete application and provides proof of the previous level of certification. Each of the individual’s facilities shall pass the inspection requirements in K.A.R. 115-14-13 before the individual may be allowed to possess a falconry raptor.

(2) Each individual whose Kansas falconry permit has lapsed for five years or more shall be required to correctly answer at least 80 percent of the questions on the department’s falconry examination specified in paragraph (j)(3). Upon passing the examination, the individual’s falconry permit shall be reinstated at the level previously held. Each of the individual’s facilities shall pass the inspection requirements in K.A.R. 115-14-13 before the individual may be allowed to possess a falconry raptor.

(f) Any individual whose falconry permit has been revoked or suspended may apply for that individual’s permit to be reinstated after the suspension period or revocation. In addition to submitting a completed application to the department, the individual shall be required to correctly answer at least 80 percent of the questions on the department’s falconry examination specified in paragraph (j)(3). Upon passing the examination, the individual’s falconry permit shall be reinstated at the level previously held. Each of the individual’s facilities shall pass the inspection requirements in K.A.R. 115-14-13 before the individual may be allowed to possess a falconry raptor.

(g) Any individual residing in Kansas who is not a citizen of the United States, has practiced falconry in the individual’s home country, and has not been previously permitted for falconry in another state may apply for a temporary falconry permit. Each temporary falconry permit shall be valid from the date of issuance through December 31 in the third calendar year after issuance. The level of permit issued shall be consistent with the level of permit types specified in subsections (j), (k), and (l). In addition, the applicant shall meet the following provisions:

(1) Any individual covered under this subsection may apply for and receive a temporary falconry permit in accordance with the following provisions:

(A) The individual applying for the temporary permit shall be required to correctly answer at least 80 percent of the questions on the department’s falconry examination specified in paragraph (j)(3).

(B) Upon passing the examination, a temporary permit for the appropriate level shall be issued by the depart-
ment, based on the individual’s documentation of experience and training.

(C) The individual holding the temporary permit may possess raptors for falconry purposes if the individual has falconry facilities approved in accordance with K.A.R. 115-14-13. The individual holding a temporary permit may fly raptors held for falconry by another permitted falconer. The individual holding a temporary permit shall not take raptors from the wild for falconry purposes.

(2) Any individual holding a temporary permit in accordance with this subsection may use any bird for falconry that the individual legally possessed in the individual’s country of origin for falconry purposes if the importation of that species of bird into the United States is not prohibited and the individual has met all permitting requirements of the individual’s country of origin.

(A) The individual shall comply with all requirements for practicing falconry in the state. The individual shall acquire all permits and comply with all federal laws concerning the importation, exportation, and transportation of falconry birds; the wild bird conservation act; the endangered species act; migratory bird import and export permits; and the endangered species convention.

(B) Each falconry bird imported into the state under this subsection shall be exported from the state by the temporary permittee when the permittee leaves the state, unless a permit is issued allowing the bird to remain in Kansas. If the bird dies while in the state, the permittee shall report the loss to the department before leaving the state.

(C) When flown free, each bird brought into the state under the provisions of this subsection shall have attached to the bird two radio transmitters that allow the permittee to locate the bird.

(h) Each individual who holds a current, valid Kansas falconry permit and resides in another state, territory, or tribal land different from the individual’s primary Kansas residence for more than 120 consecutive days shall provide the location of the individual’s falconry facilities in the other jurisdiction to the department. This information shall be listed on the individual’s Kansas falconry permit.

(i) Falconry permits shall be issued for the following levels of permittees: apprentice falconer, general falconer, and master falconer. Each applicant for a specific level shall meet the requirements of subsection (j), (k), or (l).

(j) An “apprentice falconer” shall mean an individual who is beginning falconry at an entry level, has no prior permitted falconry experience, and meets the following requirements:

(1) The applicant shall be at least 12 years of age. The application of any applicant under 18 years of age shall be signed by a parent or legal guardian, who shall be legally responsible for the applicant’s activities.

(2) The applicant shall have secured a written sponsor agreement either from a general falconer with at least two years of falconry experience as a general falconer or from a master falconer, stating that the falconer has agreed to mentor the applicant for the duration of the apprentice permit.

(A) The sponsor agreement shall include a statement from the general falconer or master falconer specifying that the sponsor shall mentor the applicant in learning the husbandry and training of raptors for falconry, learning relevant wildlife laws and regulations concerning the practice of falconry, and deciding what species of raptor is appropriate for the applicant to possess while practicing falconry at the apprentice level.

(B) If the general falconer or master falconer is not able to fulfill the sponsor agreement to mentor the apprentice falconer, the apprentice shall secure a sponsor agreement from another falconer with the necessary qualifications and notify the department within 30 days of the change.

The falconer sponsoring the apprentice falconer shall notify the department in writing within 30 days of withdrawing the falconer’s mentorship.

(3) Each applicant for an apprentice falconry permit shall be required to correctly answer at least 80 percent of the questions on the department’s falconry examination. The examination shall cover the following topics:

(A) The care and handling of falconry raptors;

(B) federal and state laws and regulations relating to falconry; and

(C) other relevant subject matter relating to falconry, including diseases and general health.

(4) Any applicant failing the examination may reapply after 90 days.

(5) An apprentice falconer shall not possess more than one raptor. Each apprentice falconer shall be restricted to taking or possessing not more than one wild-caught raptor from one of the following species:

(A) American kestrel (Falco sparverius);

(B) red-tailed hawk (Buteo jamaicensis); or

(C) red-shouldered hawk (Buteo lineatus).

(6) A raptor acquired by an apprentice falconer shall not have been taken from the wild as an eyas or have become imprinted on humans. Any wild-caught raptor species specified in paragraph (j)(5) may be transferred to the apprentice falconer by another properly permitted falconry permittee.

An apprentice falconer shall not acquire more than one replacement raptor during any 12-month period.

(7) The facilities used to house and keep the raptor shall meet the requirements in K.A.R. 115-14-13.

(k) A “general falconer” shall mean an individual who has been previously permitted as an apprentice falconer and meets the following requirements:

(1) The applicant shall be at least 16 years of age. The application of any applicant under 18 years of age shall be signed by a parent or legal guardian, who shall be legally responsible for the applicant’s activities.

(2) Each application shall be accompanied by a letter from a general falconer or a master falconer stating that the applicant has practiced falconry with wild raptors at the level of apprentice falconer, or its equivalent, for at least two years, including maintaining, training, flying, and hunting the raptor for at least four months in each year. This time may include the capture and release of falconry raptors. A school or education program in falconry shall not be substituted to shorten the required two years of experience at the level of apprentice falconer.

(3) A general falconer may take and use any species of Accipitriform, Falconiform, or Strigiform, including wild
or captive-bred raptors and hybrid raptors, as defined in K.A.R. 115-14-11, for falconry, with the following exceptions:

(A) Golden eagle (Aquila chrysaetos);
(B) bald eagle (Haliaeetus leucocephalus);
(C) white-tailed eagle (Haliaeetus albicilla); and
(D) Steller’s sea eagle (Haliaeetus pelagicus).

(4) A general falconer shall possess no more than three raptors at any one time, regardless of the number of state, tribal, or territorial falconry permits the general falconer possesses.

(l) A “master falconer” shall mean an individual who has been previously permitted at the level of general falconer and meets the following requirements:

(1) The applicant shall have practiced falconry with that individual’s own raptor as a general falconer for at least five years.

(2) A master falconer may take and use any species of Accipitriform, Falconiform, or Strigiform, including wild or captive-bred raptors and hybrid raptors for falconry, with the following exceptions:

(A) A bald eagle (Haliaeetus leucocephalus) shall not be possessed.
(B) Golden eagles (Aquila chrysaetos), white-tailed eagles (Haliaeetus albicilla), or Steller’s sea eagles (Haliaeetus pelagicus) may be possessed if the permittee meets the following requirements:

(i) The permittee shall not possess more than three raptors of the species listed in paragraph (l)(2)(B).
(ii) The permittee shall provide documentation to the department of the permittee’s experience in handling large raptors, including information about the species handled and the type and duration of the activity in which the experience was gained.

(iii) The permittee shall provide the department with at least two letters of reference from people with experience in handling or flying large raptors including eagles, ferruginous hawks (Buteo regalis), goshawks (Accipiter gentilis), or great horned owls (Bubo virginianus). Each letter shall contain a concise history of the author’s experience with large raptors, which may include the handling of raptors held by zoos, rehabilitating large raptors, or scientific studies involving large raptors. Each letter shall also assess the permittee’s ability to care for eagles and fly them for falconry purposes.

(C) The possession of a golden eagle, white-tailed eagle, or Steller’s sea eagle shall count as one of the wild raptors that the permittee is allowed to possess.
(D) A master falconer may possess wild or captive-bred raptors or hybrid raptors of the species allowed by this subsection.
(E) A master falconer shall possess no more than five wild-caught raptors, including golden eagles, regardless of the number of state, tribal, or territorial falconry permits that the falconer possesses.
(F) A master falconer may possess any number of captive-bred raptors. However, the raptors shall be trained to pursue wild game and shall be used for hunting.

(m) A falconry permit may be denied, suspended, or revoked by the secretary for any of the following reasons:

(1) The application is incomplete or contains false information.

(2) The applicant does not meet the qualifications specified in this regulation.

(3) The applicant has failed to maintain or to submit required reports.

(4) The applicant has been convicted of violating department laws or regulations relating to hunting or the practice of falconry or has had any other department license or permit denied, suspended, or revoked.

(5) Issuance of the permit would not be in the best interests of the public, for reasons including complaints or inappropriate conduct while holding a previous falconry permit.


115-14-13. Falconry; facilities, equipment, care requirements, and inspections. (a) Each individual keeping raptors shall maintain the facilities in accordance with this regulation.

(1) “Primary facility” shall mean the principal place and structures where the raptor is normally provided care and housing. This term shall include indoor facilities and outdoor facilities.

(2) “Temporary facility” shall mean a place and structure where a raptor is kept during the raptor’s time away from the primary facility, including during transportation and while hunting or attending an event. This term shall include a place and structure where a raptor is kept for a limited time period while the primary facility is not available.

(b) All primary facilities used to house and keep raptors shall be inspected and approved by the department before the issuance of a Kansas falconry permit. Thereafter, all primary facilities used to house and keep raptors shall be inspected and approved whenever a change in the location of the primary facility occurs. All primary facilities shall meet the following standards:

(1) All indoor areas of the primary facility, which are also known as “nests,” and all outdoor areas of the primary facility, which are also known as “weathering areas,” shall protect raptors from the environment, predators, and domestic animals.

(2) The indoor area of the primary facility shall have a perch for each raptor and at least one opening for sunlight.

(3) Two or more raptors may be housed together and untethered if the birds are compatible with each other. Each raptor shall have an area large enough to allow the raptor to fly if it is untethered or, if tethered, to fully extend its wings to bate or attempt to fly while tethered without damaging its feathers or contacting other raptors.

(4) Each raptor shall have a pan of clean water available.

(5) Each indoor area of the primary facility shall be large enough to allow easy access for the care and feeding of the raptors kept there.

(6) Each indoor area of the primary facility housing untethered raptors shall have either solid walls or walls made with vertical bars spaced narrower than the width of the body of the smallest raptor being housed, heavy-duty netting, or other similar materials covering
the walls and roof of the facility. All windows shall be protected on the inside by vertical bars, spaced at intervals narrower than the width of the raptor’s body.

(7) The floor of the indoor area of the primary facility shall consist of material that is easily cleaned and well drained.

(8) Each indoor area of the primary facility shall include shelf-perch enclosures where raptors are tethered side by side. Other housing systems shall be acceptable if they afford the enclosed raptors with protection and maintain healthy feathers.

(9) A falconry raptor, or raptors, may be kept inside the permittee’s residence if a suitable perch, or perches, are provided. Windows and other openings in the residence structure shall not be required to be modified. All raptors kept in the residence shall be tethered when the raptors are not being moved into or out of the location where they are kept.

(10) Each outdoor area of the primary facility shall be totally enclosed and shall be made of heavy-gauge wire, heavy-duty plastic mesh, slats, pipe, wood, or other suitable material.

(11) Each outdoor area of the primary facility shall be covered and have at least one covered perch to protect a raptor held in the facility from predators and weather. Each outdoor area of the primary facility shall be large enough to ensure that all the raptors held inside cannot strike the enclosure when flying from the perch.

(12) Any new design of primary facility may be used if the primary facility meets the requirements of this subsection.

(c) Falconry raptors may be kept outside, including in a weathering yard at a falconry meet, if the raptors are under watch by the permittee or a designated individual.

(d) The permittee may transport any permitted raptor if the bird is provided with a suitable perch and is protected from extreme temperatures, wind, and excessive disturbance. A giant hood or similar container may be used for transporting the bird or for housing it while away from the primary facility.

(e) The permittee shall inform the department of any change of location of the primary facility within five business days of the move to the new location.

(f) The property where the primary facility is located may be owned by the permittee or another person and may be at the residence of the permittee or at a different location.

The permittee shall submit to the department a signed and dated statement showing that the permittee agrees that the primary facility, equipment, all falconry-related facilities, equipment, records, and raptors may be inspected without advance notice by department authorities at any reasonable time on any day of the week if the inspections are in the presence of the permittee. If the property is not owned by the permittee, the actual property owner shall also sign the statement acknowledging the inspection allowance.

(g) The permittee shall provide and maintain the following equipment during the term of the permit:

(1) At least one pair of Aylmeri jesses, or jesses of a similar type, constructed of pliable, high-quality leather or a suitable synthetic material. The jesses shall be used when any raptor is flown free. Traditional one-piece jesses may be used on raptors when not being flown;

(2) at least one flexible, weather-resistant leash and one strong swivel of acceptable falconry design;

(3) at least one suitable bath container for each raptor. Each container shall be at least two to six inches deep and wider than the length of the raptor; and

(4) a reliable scale or balance that is suitable for weighing the raptors and is graduated to increments of not more than ½ ounce (15 grams).

(h) A permittee may house a raptor in temporary facilities for no more than 120 consecutive days if the bird is provided with a suitable perch and protection from predators, domestic animals, extreme temperatures, wind, and excessive disturbance.

(i) A permittee may allow a raptor to be temporarily cared for and possessed by another falconry permittee in accordance with the following requirements:

(1) The raptor shall be kept at the permittee’s primary facility or at the permitted primary facility of the other permittee.

(2) The raptor shall be cared for by the other permittee for no more than 120 consecutive days, unless the department provides a written extension of time for extenuating circumstances that may include illness, military service, or a family emergency. Extenuating circumstances may be considered by the secretary on a case-by-case basis.

(3) The permittee shall provide the other permittee with a signed, dated statement authorizing the temporary possession. The statement shall include information specifying the time period during which the temporary care and possession are allowed and what activity is allowed. The permittee providing the temporary care may fly the raptor as authorized in the statement, including hunting, if the permittee providing the temporary care holds the appropriate level of falconry permit. The raptors being provided temporary care shall not count against the possession limit of the permittee providing the care.

(4) The permittee shall provide a copy of the United States fish and wildlife service form 3-186A showing that permittee as the possessor of the raptor to the other permittee providing the temporary care.

(j) Any permittee may allow a raptor to be temporarily cared for by an individual who does not possess a falconry permit in accordance with the following provisions:

(1) The raptor shall not be removed from the permittee’s facility during the time of temporary care. The person caring for the raptor shall not fly the raptor for any reason.

(2) The raptor may be cared for by another person for no more than 45 consecutive days, unless the department provides a written extension of time for extenuating circumstances that may include illness, military service, or a family emergency. Extenuating circumstances may be considered by the secretary on a case-by-case basis.

(3) The raptor shall remain on the permittee’s falconry permit.

(k) Falconry raptors may be trained or conditioned in accordance with the following provisions:

(1) Equipment or techniques acceptable for falconry practices including or similar to any of the following may be used:
(A) Tethered flying, which is also known as flying with a creance;
(B) lures made from animal parts;
(C) balloons;
(D) kites; or
(E) remote-control airplanes.
(2) The following species of live wildlife may be used:
(A) Rock dove or domestic pigeon;
(B) European starling;
(C) house sparrow;
(D) Hungarian partridge;
(E) Chukar partridge; and
(F) any small game, as defined by K.S.A. 32-701 and amendments thereto, during the established hunting seasons for the small game.
(l) All facilities and equipment shall be properly maintained and cleaned during the term of the permit.
(m) Mistreatment of any raptor shall be grounds for revocation of the falconer’s permit and for confiscation of any raptors in possession of the falconer. “Mistreatment” shall be defined as any of the following:
(1) Having physical custody of a raptor and failing to provide food, potable water, protection from the elements, opportunity for exercise, and other care as is needed for the health and well-being of the raptor;
(2) abandoning or leaving any raptor in any place without making provisions for its proper care; or
(3) failing to meet the requirements of this regulation.

115-14-14. Falconry; taking, banding, transporting, and possessing raptors. (a) For the purpose of this regulation, “falconer” shall be defined as a person taking or attempting to take a raptor from the wild for falconry purposes. Each falconer shall possess a current, valid hunting license pursuant to K.S.A. 32-919, and amendments thereto, and meet the requirements for hunter education certification pursuant to K.S.A. 32-920, and amendments thereto.
(b) Each nonresident falconer shall apply for and receive a take permit from the department before attempting to take a raptor from the wild in Kansas. Each nonresident falconer shall submit a raptor acquisition report within 10 days of leaving Kansas, regardless of whether the falconer was successful in taking a raptor.
(c) Each resident falconer shall apply for and receive a take permit from the department before attempting to take a peregrine falcon from the wild in Kansas.
(d) Each capture device used to capture raptors shall have a tag attached showing the falconer’s name, address, and current falconry permit number.
(e) The falconer shall acquire permission from the landowner or the person controlling any private land before taking or attempting to take any wild raptor for falconry purposes.
(f) Wild raptors may be taken for falconry purposes if the species is approved by the department to be taken by the falconer and is allowed under the level of falconry permit possessed by the falconer in accordance with K.A.R. 115-14-12.

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location of the capture and takes immediate possession of the bird.

(3) Any falconer who does not take immediate possession of a wild raptor at the exact location of the capture may acquire a wild raptor from a general falconer or master falconer, as defined in K.A.R. 115-14-12, in accordance with the following reporting requirements:

(A) The general falconer or master falconer who takes the raptor from the wild shall report the capture in accordance with paragraph (k)(1).

(B) The falconer receiving the wild raptor from the general falconer or master falconer shall report the transfer of the bird within 10 calendar days of the transfer by submitting the information to the electronic database of the United States fish and wildlife service.

(4) Any falconer who has a long-term or permanent physical impairment that prevents the individual from being present at the exact location of the capture and taking immediate possession of a wild raptor that may be used by the falconer for falconry purposes may acquire a bird by the following means:

(A) Any general falconer or master falconer, as defined by K.A.R. 115-14-12, may capture the wild raptor. This capture shall not count against the general falconer’s or master falconer’s calendar-year limit for the take of wild raptors. However, this capture shall count against the calendar-year limit for wild raptors of the falconer with the long-term or permanent physical impairment.

(B) The falconer with the long-term or permanent physical impairment shall file the capture report in accordance with paragraph (k)(1).

(C) The falconer with the long-term or permanent physical impairment shall confirm the presence of the impairment and the need to report in accordance with this subsection at the time of application for the capture permit.

(I) A master falconer may be authorized by permit to possess not more than three eagles, including golden eagles, white-tailed eagles, or Steller’s sea eagles, for falconry in accordance with the following provisions:

(1) Each eagle possessed shall count against the possession limit for the falconer.

(2) A golden eagle may be taken in a location declared by the wildlife services of the United States department of agriculture or in an area within a state that has been established as a livestock depredation area in accordance with the following provisions:

(A) An immature or a subadult golden eagle may be taken in a livestock depredation area while the depredation area is in effect.

(B) A nesting adult golden eagle, or an eyas from its nest, may be taken in a livestock depredation area if a biologist that represents the agency responsible for establishing the depredation area has determined that the adult eagle is preying on livestock.

(C) The falconer shall notify the regional law enforcement office of the United States fish and wildlife service of the capture plan before any trapping activity begins. Notification shall be submitted in person, in writing, or by facsimile or electronic mail at least three business days before the start of trapping.

(m) Any raptor wearing falconry equipment or any captive-bred raptor may be recaptured at any time by any falconer in accordance with the following provisions:

(1) The falconer may recapture the raptor whether or not the falconer is allowed to possess that species.

(2) The recaptured bird shall not count against the falconer’s possession limit. This take from the wild shall not count against the capture limit for the calendar year.

(3) The falconer shall report the recapture to the department within five working days of the recapture.

(4) The disposition of any recaptured bird shall be as follows:

(A) The bird shall be returned to the person who lost it, if that person may legally possess the bird and chooses to do so. If the person who lost the bird either is prohibited from taking or chooses not to take the bird, the falconer who captured the bird may take possession of the bird if the falconer holds the necessary qualifications for the species and does not exceed the falconer’s possession limit.

(B) The disposition of a recaptured bird whose legal ownership cannot be ascertained shall be determined by the department.

(n) Each goshawk (Accipiter gentilis), Harris’s hawk (Parabuteo unicinctus), peregrine falcon (Falco peregrinus), or gyrfalcon (Falco rusticolus) taken from the wild or acquired from a rehabilitator by a falconer shall be identified by one or more of the following means:

(1) The bird shall be banded with a black nylon, permanent, nonreusable, numbered falconry registration leg band from the United States fish and wildlife service. The bands shall be made available through the department. Any falconer may request an appropriate band before any effort to capture a raptor.

(2) In addition to the band specified in paragraph (n)(1), the falconer may purchase and have implanted in the bird a 134.2 kHz microchip that is compliant with the requirements of an international organization for standardization. All costs associated with the implantation of a microchip shall be the responsibility of the falconer.

(3) The falconer shall report the take of any bird within 10 days of the take by submitting the required information, including the band number or the microchip information, or both, to the electronic database of the United States fish and wildlife service.

(4) The falconer shall report to the department the loss or removal of any black nylon, nonreusable leg band within five days of the removal or notice of loss.

(A)(i) When submitting the report, the falconer shall submit a request for a black, nylon, nonreusable leg band to the United States fish and wildlife service.

(ii) The falconer may purchase and implant a 134.2 kHz microchip that is compliant with the requirements of an international organization for standardization, in addition to using the black, nylon, nonreusable leg band for rebanding.

(B) The falconer shall immediately submit the required information relating to the re-banding or the implanting of a microchip by submitting the information to the electronic database of the United States fish and wildlife service.

(o) Each raptor bred in captivity shall be banded with a stainless steel falconry registration band provided by...
the United States fish and wildlife service. In addition, any such raptor may have implanted a 134.2 kHz microchip that is compliant with the requirements of an international organization for standardization.

The falconer shall report to the department the loss or removal of any seamless band within 10 days of the removal or notice of loss.

(1)(A) When submitting the report, the falconer shall submit a request for a yellow, nylon, nonreusable leg band to the United States fish and wildlife service.

(B) The falconer may purchase and implant a 134.2 kHz microchip that is compliant with the requirements of an international organization for standardization, in addition to using the seamless leg band for rebanding.

(2) The falconer shall immediately submit the required information relating to the re-banding or the implanting of a microchip by submitting the information to the electronic database of the United States fish and wildlife service.

(p) A falconry registration band shall not be altered, defaced, or counterfeited. However, the rear tab on a falconry registration band used to identify a raptor taken from the wild may be removed and any imperfect surface may be smoothed if the integrity of the band and the numbering on the band are not affected.

(q) The falconry registration band requirement may be waived by the secretary and the removal of a registration band may be allowed in order to address a documented health or injury problem caused to a raptor by the registration band in accordance with the following provisions:

(1) The falconer shall be required to carry a copy of the exemption paperwork at all times while transporting or flying the raptor.

(2) A microchip compliant with the requirements of an international organization for standardization and provided by the United States fish and wildlife service shall be used to replace the registration band causing the health or injury problem on a wild-caught goshawk, Harris’s hawk, peregrine falcon, or gyrfalcon.

(r) A wild-caught falcon shall not be banded with a seamless numbered band.

(s) Any falconer, with prior authorization, may take a wild raptor, including a wild raptor that has been banded with an aluminum band from the federal bird-banding laboratory of the United States fish and wildlife service, during the legal season using legal methods and equipment, in accordance with the following provisions:

(1) Each captured raptor that has any band, research marker, or transmitter attached to it shall be immediately reported to the federal bird-banding laboratory of the United States fish and wildlife service. The reported information shall include any identifying numbers, the date and location of capture, and any other relevant information.

(2) A peregrine falcon that is banded with a research band or has a research marking attached to the bird shall not be taken from the wild and shall be immediately released.

(3) A captured peregrine falcon that has a research transmitter attached to the bird may be kept by the falconer not more than 30 days if the federal bird-banding laboratory of the United States fish and wildlife service is immediately contacted after the capture. The disposition of the captured peregrine falcon shall be in accordance with the directions provided by the federal bird-banding laboratory or its designee.

(4) Any raptor, other than a peregrine falcon, that has a transmitter attached to it may be possessed by the falconer who captured the bird for not more than 30 days in order to contact the researcher, or the researcher’s designee, to determine if the transmitter should be replaced.

(A) The temporary, 30-day possession of the bird shall not count against the falconer’s possession limit for falconry raptors.

(B) If the falconer who captured the raptor wishes to possess the bird for falconry purposes, the disposition of the bird shall be at the discretion of the researcher and the secretary if the species of the bird is allowable under the classification level of the falconer and the falconer’s possession of the captured bird does not exceed the established possession limit.

(t) Each raptor, including a peregrine falcon, that is captured and found with a seamless metal band, a transmitter, or any other item identifying it as a falconry bird shall be reported to the department within five days of capture.

(1) Each such falconry raptor shall be returned to the person who lost the raptor.

(2) If the person who lost the bird is prohibited from possessing the bird or does not wish to possess the bird, the falconer who captured the bird may keep the bird if the falconer holds the necessary qualifications for the species and does not exceed the falconer’s possession limit.

(3) If the falconer who captured the bird is prohibited from possessing the bird, the disposition of the bird shall be at the discretion of the secretary.

(4) The recaptured falconry bird shall not count against the possession limit or the calendar-year limit of wild birds that may be taken by the falconer during the time the recaptured bird is being held pending final disposition.

(u) Each raptor that is injured during trapping activities shall be handled in accordance with the provisions of this subsection. It shall be the falconer’s responsibility to address any injury occurring to a raptor during trapping activities in one of the following ways:

(1) The falconer may take the raptor into possession and apply it to the falconer’s possession limit if the raptor is of a species allowed to be possessed and the falconer’s possession limit is not exceeded.

(A) The take shall be reported in accordance with subsection (k).

(B) The raptor shall be treated by a veterinarian or a permitted wildlife rehabilitator. The cost for the care and treatment of the raptor shall be the responsibility of the falconer.

(2) The raptor may be turned over directly to a veterinarian, a permitted wildlife rehabilitator, or a department employee, and the raptor shall not be counted against the falconer’s allowable take or possession limit. The falconer shall be responsible for the costs relating to the care and rehabilitation of the bird.

(v)(1) The falconer shall report each raptor that dies or is acquired, transferred, rebanded, implanted with a microchip, lost to the wild and not recovered within 30 calendar days, or stolen by submitting the information...
to the electronic database of the United States fish and wildlife service.

(2) In addition to submitting the report required in paragraph (v)(1), the falconer shall file a report of the theft of a raptor with the department and the appropriate regional law enforcement office of the United States fish and wildlife service within 10 calendar days of the theft.

(3) The falconer shall keep copies of all electronic database submissions documenting the take, transfer, loss, theft, rebanding, or implanting of microchips of each falconry raptor for at least five years after the bird has been transferred, released to the wild, or lost, or has died.

(v) The intentional release to the wild of any falconry raptor shall be in accordance with the following requirements:

1. A species of raptor that is not native to Kansas shall not be released to the wild. Any such bird may be transferred to another falconer if the falconer receiving the bird is authorized to possess the age and species of raptor and the transfer does not exceed the possession limit of the falconer receiving the bird.

2. Any species of raptor that is native to Kansas and is captive-bred may be released to the wild according to the following requirements:

(A) The falconer shall obtain the department’s permission to release the bird to the wild before the actual release. The time of year and the location where the release shall take place shall be specified by the department.

(B) The falconer shall remove any tag, transmitter, or nonreusable falconry band, if present, before release. All falconry identification bands, tags, or markers shall then be surrendered to the department within 10 calendar days of the release.

(C) The falconer shall report the release of the bird within 10 calendar days of the release by submitting the required information to the electronic database of the United States fish and wildlife service.

3. Any species of raptor that is native to Kansas and was taken from the wild may be released to the wild according to the following requirements:

(A) The falconer may release the bird to the wild year-round.

(B) The falconer shall remove any tag, transmitter, or nonreusable falconry band, if present, before release. After falconry identification bands, tags, or markers shall then be surrendered to the department within 10 calendar days of the release.

(C) The falconer shall report the release of the bird within 10 calendar days of the release by submitting the required information to the electronic database of the United States fish and wildlife service.

4. No hybrid raptor, as defined in K.A.R. 115-14-11, shall be intentionally released to the wild permanently.

5. Hacking, which means temporarily releasing a falconry raptor to the wild for conditioning, shall be permissible.

6. In addition to any other requirements regarding the take of peregrine falcons, each falconer shall immediately notify the department when a peregrine falcon is taken, as specified on the take permit. If the quota for the take of peregrine falcons has been met and the take season is closed, the falconer shall immediately release the peregrine falcon upon notification by the department.


Brad Loveless
Secretary

State of Kansas

Department of Health and Environment
Division of Health Care Finance

Permanent Administrative Regulation

Article 6.—MEDICAL ASSISTANCE PROGRAM—CLIENTS’ ELIGIBILITY FOR PARTICIPATION

129-6-103. Determined eligibles; income standards. (a) Independent living arrangements.

1. The income standard for each person in an independent living arrangement shall be based on the total number of persons in the assistance plan as defined in K.A.R. 129-6-41 or 129-6-42.

2. The income standard for independent living may also be used if an applicant or recipient meets either of the following conditions:

(A) Enters a medicaid-approved facility, except that this paragraph shall not apply if only one spouse in a married couple enters an institutional living arrangement; or

(B) is absent from the home for medical care for a period not to exceed the month in which the person left the home and the two months following to allow for maintaining the applicant’s or recipient’s independent living arrangements.

3. Except as specified in paragraphs (a)(4) through (13), the following table shall be used to determine the income standard for persons in an independent living arrangement.

<table>
<thead>
<tr>
<th>Persons in Independent Living (per month)</th>
<th>1</th>
<th>2</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>$475$</td>
<td>$475$</td>
<td>$480$</td>
<td></td>
</tr>
</tbody>
</table>

The income standard for additional persons shall be the sum of the basic standard for a similar public assistance family and the maximum state shelter standard in accordance with K.A.R. 30-4-101.

4. In determining eligibility for pregnant women under K.A.R. 129-6-71 and for infants under K.A.R. 129-6-
72(b), the income standard shall be 166 percent of the official federal poverty-level income guidelines.  

(5) In determining eligibility for young children under K.A.R. 129-6-72(c), the income standard shall be 149 percent of the official federal poverty-level income guidelines.  

(6) In determining eligibility for older children under K.A.R. 129-6-72(d), the income standard shall be 133 percent of the official federal poverty-level income guidelines.  

(7) In determining eligibility for poverty-level medicare beneficiaries under K.A.R. 129-6-86, the income standard shall be 100 percent of the official federal poverty-level income guidelines.  

(8) In determining eligibility for working disabled individuals under K.A.R. 129-6-87, the income standard shall be 200 percent of the official federal poverty-level income guidelines.  

(9) In determining eligibility for low-income medicare beneficiaries under K.A.R. 129-6-86, the income standard shall be 120 percent of the official federal poverty-level income guidelines.  

(10) In determining eligibility for expanded low-income medicare beneficiaries under K.A.R. 129-6-86, the income standard shall be 120 to 135 percent of the official federal poverty-level income guidelines, subject to available federal funding.  

(11) In determining eligibility for disabled individuals with earned income under K.A.R. 129-6-88, the income standard shall be 300 percent of the official federal poverty-level income guidelines.  

(12) In determining eligibility for persons in the medikan program under K.A.R. 129-6-95, the income standard shall be $250 for a single individual and $325 for a married couple.  

(13) In determining eligibility for persons in long-term care arrangements in accordance with K.A.R. 129-6-54(d)(1), the income standard shall be 300 percent of the payment standard for one person in the SSI program. For calendar year 2013, the income standard shall be $2,130, and this amount shall be increased at the beginning of each calendar year by any cost-of-living adjustment made to the SSI payment standard.  

(b) Institutional living arrangements. For each person residing in an institutional setting, the monthly income standard for purposes of determining the client obligation shall be $62, except as specified in paragraph (a)(2).  

(c) Home- and community-based services arrangements. For each person in the HCBS program, including any person in the PACE program who is in a noninstitutional living arrangement in accordance with K.A.R. 129-6-83(b), the monthly income standard for purposes of determining the client obligation shall be $1,177. (Authorized by and implementing K.S.A. 65-1,254 and 75-7403; effective, T-129-10-31-13, Nov. 1, 2013; effective Feb. 28, 2014; amended Jan. 1, 2021.)  

Lee A. Norman, M.D.  
Secretary