

**Background Report
Draft Rule 68A-12.002
Agenda Item 12.C.
December 6, 2017**

DRAFT RULE

RULE NO: 68A-12.002 **RULE TITLE:** General Methods of Taking Game and Crows; Prohibitions.

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to remove certain restrictions on methods for taking deer and wild turkeys. The effect of the proposed rule amendment will be to allow the use of pre-charged pneumatic air guns propelling a single projectile for taking deer and wild turkey.

SUMMARY: The proposed rule amendment would allow the use of pre-charged pneumatic air guns propelling a single projectile (to include a single bullet of no less than .40 caliber or an arrow or bolt) to take deer during the general gun season; and allow the use of pre-charged pneumatic air guns propelling a single projectile (to include a single bullet of no less than .20 caliber or an arrow or bolt) to take wild turkey during the fall and spring turkey seasons.

Additionally, the proposed rule amendment would provide non-substantive technical changes, such as grammatical corrections, language standardization, or clarification of an existing rule.

THE FULL TEXT OF THE PROPOSED RULE IS AS FOLLOWS:

68A-12.002 General Methods of Taking Game and Crows; Prohibitions.

- (1) through (2) No change.
- (3) Resident game birds, crows or game mammals may be taken with any of the following:
 - (a) through (b) No change.
 - (c) Air guns, ~~except that: may be used to take gray squirrel and rabbit only.~~
 - 1. Only pre-charged pneumatic air guns .40 caliber or greater propelling a single projectile (to include an arrow or bolt meeting specifications outlined in subparagraph (3)(e)) may be used for taking deer.
 - 2. Only pre-charged pneumatic air guns .20 caliber or greater propelling a single projectile (to include an arrow or bolt meeting specifications outlined in subparagraph (3)(e)) may be used for taking wild turkey.
 - (d) No change.
 - (e) Bow or crossbow, except that:
 - 1. Any arrow or bolt used to take deer, bear or wild turkey shall be equipped with a broadhead that has a minimum of two sharpened edges with a minimum width of 7/8 inches.
 - 2. The take of game specified for any archery season with any gun other than a bow ~~or crossbow~~ is prohibited during any special archery season except this subparagraph shall not limit the methods of take of game specified for any coinciding season.
 - 3. No change.
 - (f) No change.
 - (4) through (7) No change.
 - (8) No person shall:
 - (a) through (h) No change.
 - (i) Take any wild turkey while it is on the roost.
 - (j) through (k) No change.
 - (9)(a) Game feeding stations may be maintained for the purpose of propagating quail, wild turkey, and other wild game under natural conditions.
 - (b) through (d) No change.

PROPOSED EFFECTIVE DATE: July 1, 2018

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 6-4-81, 11-17-81, 6-21-82, 7-1-83, 7-1-84, 7-1-85, Formerly 39-12.02, Amended 6-1-86, 4-11-90, 4-14-92, 4-20-93, 3-1-94, 3-30-95, 4-1-96, 12-28-98, Formerly 39-12.002, Amended 7-1-05, 7-1-06, 7-1-08, 10-23-08, 1-1-11, 7-1-13, 12-23-14, 7-29-15, 7-1-18.