

115-7-1. Fishing; legal equipment, methods of taking, and other provisions. (a) Legal equipment and methods for taking sport fish shall be the following:

(1) Fishing lines with not more than two baited hooks or artificial lures per line. If two artificial lures are used, the fishing line shall not exceed six hooks;

(2) trotlines, except that all float material used with a trotline shall be constructed only from plastic, wood, or foam and shall be a closed-cell construction. ~~A "closed-cell" construction shall mean a solid body incapable of containing water;~~

(3) setlines, except that any float material used with a setline shall be constructed only from plastic, wood, or foam and shall be a closed-cell construction. ~~A "closed-cell" construction shall mean a solid body incapable of containing water;~~

(4) tip-ups;

(5) using a person's hand or hands for flathead catfish in waters designated as open to hand fishing, subject to the following requirements:

(A) An individual hand fishing shall not use hooks, snorkeling or scuba gear, or other man-made devices while engaged in hand fishing;

(B) an individual hand fishing shall not possess fishing equipment, other than a stringer, while engaged in hand fishing and while on designated waters or adjacent banks;

(C) stringers shall not be used as an aid for hand fishing and shall not be used until the fish is in possession at or above the surface of the water;

(D) each individual hand fishing shall take fish only from natural objects or natural cavities;

(E) an individual hand fishing shall not take fish from any man-made object, unless


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the object is a bridge, dock, boat ramp, or riprap, or other similar structure or feature;

(F) no part of any object shall be disturbed or altered to facilitate the harvest of fish for hand fishing; and

(G) an individual hand fishing shall not take fish within 150 yards of any dam;

(6) snagging for paddlefish, nonsport fish, and prohibited fish species listed in K.A.R. 115-18-10 in waters posted or designated by the department as open to the snagging of these paddlefish, subject to the following requirements:

(A) Each individual with a filled creel limit shall cease all snagging activity in the paddlefish-snagging area until the next calendar day;

(B) each individual taking paddlefish to be included in the creel and possession limit during the snagging season shall tag the fish in accordance with K.A.R. 115-7-4(e)~~sign the carcass tag, record the county, the date, and the time of harvest on the carcass tag, and attach the carcass tag to the lower jaw of the carcass immediately following the harvest and before moving the carcass from the site of the harvest;~~ and

(C) each individual snagging for paddlefish shall use barbless hooks while snagging ~~for paddlefish~~. “Barbless hook” shall mean a hook without barbs or upon which the barbs have been bent completely closed; and

(D) any individual younger than 16 years of age may use an adult’s paddlefish permit while accompanied by that adult with at least one unused carcass tag in possession. Each paddlefish snagged and kept by the individual younger than 16 years of age shall be included as part of the daily creel limit of the permit holder.

(7) floatlines in waters posted or designated by the department as open to floatline

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fishing, which shall be subject to the following requirements:

(A) All floatlines shall be within visual contact of the angler setting the floats while the angler is on the water body where the floatlines are located~~under the immediate supervision of the angler setting the floats. "Immediate supervision" shall mean that the angler has visual contact with the floatlines set while the angler is on the water body where the floatlines are located;~~

(B) all floatlines shall be removed when float fishing ceases;

(C) floatlines shall not contain more than one line per float, with not more than two baited hooks per line;

(D) all float material shall be constructed only from plastic, wood, or foam and shall be a closed-cell construction.~~A "closed-cell" construction shall mean a solid body incapable of containing water;~~

(8) bow or crossbow and arrow with a barbed head and a line attached from the bow or crossbow to the arrow for the following species of fish:

(A) nonsport fish;

(B) prohibited fish species listed in K.A.R. 115-18-10; and

(C) except on rivers and streams, the following species of fish where no size limit exists for any of these species of fish:

(i) Blue catfish;

(ii) channel catfish; and

(iii) flathead catfish; and

~~(9) crossbow and arrow with a barbed head and a line attached from arrow to~~

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~~crossbow.~~

~~(9) gigging for nonsport fish and prohibited fish species listed in K.A.R. 115-18-10;~~

~~and~~

~~(10) spear gun, without explosive charge, while skin or scuba diving for nonsport fish and prohibited fish species listed in K.A.R. 115-18-10. The spear without explosive charge shall be attached to the speargun or person by a line.~~

~~(b) Legal equipment and methods for taking nonsport fish shall be the following:~~

~~(1) Fishing lines with not more than two baited hooks or artificial lures per line;~~

~~(2) trotlines;~~

~~(3) setlines;~~

~~(4) tip-ups;~~

~~(5) bow and arrow with a barbed head and a line attached from bow to arrow;~~

~~(6) crossbow and arrow with a barbed head and a line attached from arrow to~~

~~crossbow;~~

~~(7) spear gun, without explosive charge, while skin or scuba diving. The spear, without explosive charge, shall be attached to the speargun or person by a line;~~

~~(8) gigging;~~

~~(9) snagging in waters posted by the department as open to snagging; and~~

~~(10) floatlines in waters posted or designated by the department as open to floatline fishing, which shall be subject to the requirements specified in paragraphs (a)(7)(A) through (D).~~

~~(e)(b) Dip nets and gaffs may be used to land any legally caught or hooked fish.~~

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~~(d)~~(c) Fish may be taken by any method designated by the secretary when a fish salvage order has been issued by the secretary through public notice or posting the area open to fish salvage.

~~(e)~~(d) Fish may be taken with the aid of boats, depth finders, artificial lights, sound attracters, and scents.

~~(f)~~(e) Fish may be taken by legal means from vehicles.

~~(g)~~(f) The following additional requirements shall apply in the flowing portions and backwaters of the Missouri ~~river~~River and in any oxbow lake through which the Kansas-Missouri boundary passes:

(1) Each individual shall place all legally caught fish on a stringer, cord, cable, or chain, or in a basket, sack, cage, or other holding device, separate from those fish caught by any other individual.

(2) The equipment and methods specified in paragraph (a)(8) ~~paragraphs (b)(5) and (b)(6)~~ shall be legal only from sunrise to midnight.

(3) The equipment and method specified in paragraphs ~~(b)(9)(a)(6) and (b)(10)(a)(7)~~ shall be legal only from sunrise to sunset.

~~(h) The equipment and method specified in paragraphs (a)(8) and (a)(9) shall be legal, except on rivers and streams, only for the following species of sport fish where no size limit exists for any of these species of fish:~~

~~(1) Blue catfish;~~

~~(2) channel catfish; and~~

~~(3) flathead catfish.~~

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(i)(g) Optical scopes or sights that project no visible light toward the target and do not electronically amplify visible or infrared light shall be valid for use on bows and crossbows.

(h) For the purpose of this regulation, "closed-cell construction" shall mean a solid body incapable of containing water. (Authorized by and implementing K.S.A. 2025 Supp. 32-807; effective Dec. 26, 1989; amended Feb. 10, 1992; amended Oct. 1, 1999; amended Dec. 8, 2000; amended Sept. 27, 2002; amended Nov. 29, 2004; amended Nov. 27, 2006; amended Nov. 16, 2007; amended Dec. 1, 2008; amended Nov. 20, 2009; amended April 16, 2010; amended Nov. 19, 2010; amended Nov. 30, 2015; amended Nov. 28, 2016; amended Dec. 22, 2017; amended Jan. 11, 2019; amended Dec. 20, 2019; amended Oct. 14, 2022; P-
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DIVISION OF THE BUDGET

Kansas Administrative Regulations Economic Impact Statement (EIS)

Kansas Department of Wildlife and Parks
Agency

Kurtis Wiard, Chief Counsel
Agency Contact

785.296.1032
Contact Phone Number

115-7-1; 115-7-4; 115-7-10; and 115-18-8
K.A.R. Number(s)

Permanent Temporary

Is/Are the proposed rule(s) and regulation(s) mandated by the federal government as a requirement for participating in or implementing a federally subsidized or assisted program?

Yes If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.

No If no, do the total annual implementation and compliance costs for the proposed rule(s) and regulation(s), calculated from the effective date of the rule(s) and regulation(s), exceed \$1.0 million or more in implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governmental units and individuals as a result of the proposed rule and regulation over the initial five-year period following adoption of such rule(s) and regulation(s) (as calculated in Section III, F)?

Yes If "Yes," then the agency shall not adopt the rule(s) and regulation(s) until the rule(s) and regulation(s) has been ratified by the Legislature with a bill, unless the proposed rule(s) and regulation(s) are: 1) mandated by the federal government as a requirement for participating in or implementing a federally subsidized or assisted program, as described in K.S.A. 77-416(b)(1)(B), and amendments thereto; 2) temporary rule(s) and regulation(s) adopted pursuant to K.S.A. 77-722, and amendments thereto; or 3) rules and regulations adopted pursuant to K.S.A. 2-3710 (Kansas Agricultural Remediation Board). Continue to fill out the remaining EIS form to be included with the regulation packet in the review process to the Department of Administration and the Attorney General. The submitted EIS will be independently analyzed by the Division of the Budget for approval.

No If no, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. The submitted EIS will be analyzed by the Division of the Budget for approval.

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Section I

Analysis, brief description, and cost and benefit quantification of the proposed rule(s) and regulation(s). If the approach chosen by the Kansas agency to address the policy issue is different from that utilized by agencies of contiguous states or of the federal government, the economic impact statement shall include an explanation of why the Kansas agency's rule and regulation differs.

This series of changes to KDWP's fishing regulations achieve three overarching changes: (1) They provide anglers with an opportunity to snag invasive species of fish in certain waters designated by the agency as open to snagging; (2) they change how the Department designates waters that contain aquatic invasive species; and (3) they clarify when sport fish may be returned alive to the water based on the method of catch.

First, changes to K.A.R. 115-7-1 and K.A.R. 115-7-4 provide anglers a new opportunity to snag invasive fish species, particularly Bighead and Silver Carp in the Kansas River. Snagging these fish is currently illegal. Since these fish are increasing in abundance in the Kansas River and may not be caught with normal fishing gear, the rule change allows anglers an opportunity to harvest these fish, assisting the Department in reducing their numbers while providing a new sporting opportunity. Snagging of invasive fish species is legal in Missouri, Oklahoma, and Nebraska where these fish are particularly prevalent. Snagging of invasive carp is not legal in Colorado, but this is likely because Colorado has only one confirmed location of invasive carp. There is no equivalent federal law.

Second, changes to K.A.R. 115-7-10 permit KDWP to more rapidly designate waters that are infested with aquatic invasive species through posted notice or designation by the Department rather than through a reference document that can only be updated through a new regulation. All contiguous states list waters that are infested with invasive species. The United States Fish and Wildlife Service also maintains a list of injurious species.

Third, changes to K.A.R. 115-18-10 simply clarify that anglers can catch and release live sport fish only when caught using hook and line, trotlines, setlines, tip-ups, hand fishing, snagging, and floatlines.

Section II

Explain whether the proposed rule and regulation is mandated by federal law as a requirement for participating in or implementing a federally subsidized or assisted program and whether the proposed rules and regulations exceed the requirements of applicable federal law.

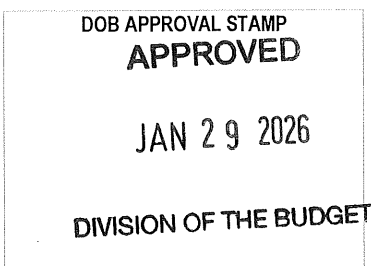
The proposed rule changes are not mandated by federal law as a requirement for participating in or implementing a federally subsidized or assisted program.

Section III

Agency analysis specifically addressing the following:

- A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;

None of the proposed changes will restrict business activities. The proposed regulation change adding opportunities to snag invasive species of fish will enhance the sale of terminal tackle and fishing rods, though not in measurable amounts.



- B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that will be affected by the proposed rule(s) and regulation(s) and on the state economy as a whole;

The proposed regulation changes will have no significant economic effect on businesses, sectors, public utility ratepayers, individuals, and/or local governments. Sporting goods stores that sell fishing tackle will realize small increases in the sale of terminal tackle and fishing rods.

- C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);

Local sporting goods stores that sell fishing tackle will realize small increases in the sale of terminal tackle and fishing rods.

- D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;

There are no costs associated with the proposed regulation changes compared to the benefits of allowing new opportunities for Kansas anglers to snag invasive species of fish. In particular, Bighead and Silver Carp offer a palatable protein for anglers, permitting anglers to harvest these fish for food. The proposed regulation changes provide only benefits.

- E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;

There are no costs associated with the proposed regulation changes.

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F. An estimate of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governments, or individuals. *Note: Do not account for any actual or estimated cost savings that may be realized. Implementation and compliance costs determined shall be those additional costs reasonably expected to be incurred and shall be separately identified for the affected businesses, local governmental units, and individuals.*

Costs to Affected Businesses – \$0

Costs to Local Governmental Units – \$0

Costs to Individuals – \$0

Total Annual Costs – \$0

(sum of above amounts)

Give a detailed statement of the data and methodology used in estimating the above cost estimate.

There is no cost associated with the proposed regulation as it is a voluntary opportunity.

- Yes If the total implementation and compliance costs exceed \$1.0 million or more in implementation and compliance costs over the initial five-year period following adoption of such rule(s) and regulation(s) that are reasonably expected to be incurred by or passed along to businesses, local governmental units and individuals as a result of the proposed rule and regulation, did the agency hold a public hearing to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.
- No
- Not Applicable

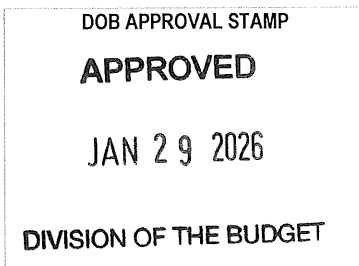
If applicable, click here to enter public hearing information.

Provide an estimate to any changes in aggregate state revenues and expenditures for the implementation of the proposed rule(s) and regulation(s), for both the current fiscal year and next fiscal year.

Implementation of the proposed regulation changes will not change aggregate state revenues and expenditures.

Provide an estimate of any immediate or long-range economic impact of the proposed rule(s) and regulation(s) on any individual(s), small employers, and the general public. If no dollar estimate can be given for any individual(s), small employers, and the general public, give specific reasons why no estimate is possible.

The proposed regulation changes will have no measurable economic impact. No dollar estimate can be given because the relevant proposed regulation change simply provides individuals with a voluntary opportunity to snag invasive fish species, and it is impossible to estimate how many individuals will take advantage of the new opportunity.



G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

The proposed regulation change will not increase or decrease revenues of cities, counties or school districts, or impose functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability.

H. Describe how the agency consulted and solicited information from businesses, business associations, local governmental units, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s) or may provide relevant information.

The proposed regulation changes were workshopped at four consecutive Kansas Wildlife Commission meetings spanning from April through September of 2024.

Members of the public have repeatedly asked for the opportunity to snag invasive species of fish, particularly in the Kansas City area. The Agency also reached out to Kansas sporting goods stores, and all that responded stated they were in favor of additional fish snagging opportunities.

Section IV

Does the Economic Impact Statement involve any environmental rule(s) and regulation(s)?

Yes If yes, complete the remainder of Section IV.

No If no, skip the remainder of Section IV.

A. Describe the capital and annual costs of compliance with the proposed rule(s) and regulation(s), and the individuals or entities who would bear the costs.

[Click here to enter agency response.](#)

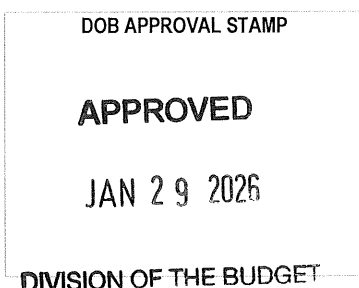
B. Describe the initial and annual costs of implementing and enforcing the proposed rule(s) and regulation(s), including the estimated amount of paperwork, and the state agencies, other governmental agencies, or other individuals who will bear the costs.

[Click here to enter agency response.](#)

C. Describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, the individuals or entities who will bear the costs and who will be affected by the failure to adopt the rule(s) and regulation(s).

[Click here to enter agency response.](#)

D. Provide a detailed statement of the data and methodology used in estimating the costs used.



Kansas Administrative Regulations
Economic Impact Statement
Public Hearing Certification
(To be completed after the public hearing)

Agency: Kansas Department of Wildlife and Parks **Agency Contact:** Kurtis Wiard
Phone Number or Email: kurtis.wiard@ks.gov

K.A.R. Number(s): 115-7-1

Public Hearing Date: Select date

Public Hearing Time: Click here to start typing

Public Hearing Location: Click here to start typing

Public Hearing Attendance: Click here to start typing

