

115-7-4. Fish; processing and possession. (a) Each person who takes any fish subject to any length limit, either statewide or water body-specific, shall leave the head, body, and tail fin attached while the person has possession of the fish on the water.

(b) Each person who has taken any fish shall retain the fish in that person's possession until any of the following occurs:

(1) The fish is consumed or processed for consumption;

(2) The fish is transported to the person's domicile or given to another person. ~~Legally taken sport fish may be possessed without limit in time and may be given to another if accompanied by a dated written notice that includes the donor's printed name, signature, address, and permit or license number;~~

(3) The fish is transported to a place of commercial preservation or place of commercial processing for consumption;

(4) The fish is returned unrestrained to the waters from which the fish was taken; or

(5) The fish is disposed of at a location designated for fish disposal or at a designated fish cleaning station.

(c) Legally taken sport fish may be possessed without limit in time and may be given to another if accompanied by a dated written notice that includes the donor's printed name, signature, address, and permit or license number.

(d) Common carp and prohibited fish species listed in K.A.R. 115-18-10 may be returned dead to the water from which they were taken.

~~(e)~~(e) Each paddlefish permittee shall meet either of the following requirements:

(1) Nonelectronic carcass tags. The paddlefish permittee shall sign, record the county, the

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date, and the time of kill, and attach the carcass tag to the carcass in a visible manner immediately before reducing the paddlefish to permanent possession. The carcass tag shall remain attached to the carcass until the conditions of paragraph (b)(1), (b)(2), (b)(3), or (b)(5) are met. The paddlefish permittee shall retain the carcass tag until the paddlefish is consumed, given to another, or otherwise disposed of; or

(2) Electronic carcass tags. Using the department's electronic carcass tag system, the paddlefish permittee shall record the county, the date, and the time of kill and enter a photograph of the entire carcass, with sufficient clarity to display the species immediately before reducing the paddlefish to permanent possession. The paddlefish permittee shall possess the confirmation number until the conditions of paragraph (b)(1), (b)(2), (b)(3), or (b)(5) are met. The paddlefish permittee shall retain the confirmation number until the paddlefish is consumed, given to another, or otherwise disposed of.

~~(d)~~(f) For paddlefish parts, the following additional requirements shall apply:

(1) No person shall possess any eggs that are attached to the egg membrane of more than one paddlefish;:

(2) No person shall possess more than three pounds of processed paddlefish eggs or fresh paddlefish eggs removed from the membrane. "Processed paddlefish eggs" shall mean any eggs taken from a paddlefish that have gone through a process that turns the eggs into caviar or into a caviar-like product;:

(3) No person shall ship into or out of, transport into or out of, have in possession with the intent to transport, or cause to be removed from this state any raw unprocessed paddlefish eggs, processed paddlefish eggs, or frozen paddlefish eggs;: and

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(4) Each harvested paddlefish carcass shall have all internal organs removed before transporting the carcass from Kansas. (Authorized by and implementing K.S.A. 2025 Supp. 32-807; effective Dec. 26, 1989; amended Nov. 27, 2006; amended Dec. 22, 2017; amended Jan. 11, 2019; amended Dec. 20, 2019; amended Oct. 14, 2022; amended P-_____.)

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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.

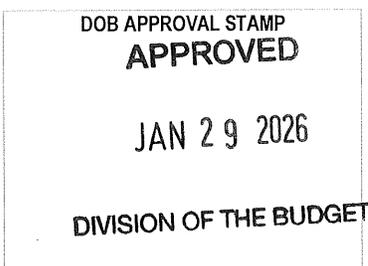
The proposed rule changes are not mandated by federal law as a requirement for participating in or implementing a federally subsidized or assisted program.

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

