

**Adopted
AMENDMENT NO 1 TO COMMITTEE AMENDMENT NO 1 PROPOSED
TO**

House Bill No. 816

BY: Senator(s) Posey

1 **AMEND by striking paragraph (b), lines 15 through 25, in its**
2 **entirety and inserting the following in lieu thereof:**

3 (b) For any person to be charged with a violation of
4 this subsection, that person must have been observed committing an
5 overt act consistent with the hunting of deer at night with the
6 aid of a light, lighting device or light amplifying device. An
7 overt act includes, but shall not be limited to, another person
8 witnessing the discharge of a weapon capable of killing a deer or
9 hearing the report of a firearm being fired, the alleged violator
10 has possession of a recently killed deer which could not have been
11 killed during legal hunting hours, or observation of an alleged
12 violator committing any of the circumstances set forth in this
13 section.