

# Trespass laws for NM, CO, TX, AZ & WY

## Comparison of 5 States



# New Mexico (Deer Only)

- Deer hunts: It shall be unlawful for any person:
- **(5)** To hunt private property without possessing a valid deer permit, the proper deer license and written permission;
- Compliance Timeline = 4 years

# Colorado

- 33-6-116. HUNTING, FISHING OR TRAPPING ON PRIVATE PROPERTY
- (1) It is unlawful for any person to enter upon privately owned land or lands under the control of the state board of land commissioners to **hunt or take any wildlife** by hunting, trapping, or fishing **without first obtaining permission from the owner or person in possession of such land.**
- (2) It is unlawful for any person to post, sign, or indicate that any public lands within this state, not held under an exclusive control lease, are privately owned lands.
- (3) Any person who violates this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of one hundred dollars and an assessment of twenty license suspension points.
- Compliance Timeline = > 22 years in place.

# Texas

- 61.022. TAKING WILDLIFE RESOURCES WITHOUT CONSENT OF LANDOWNER PROHIBITED.
- (a) No person may **hunt or catch by any means or method or possess a wildlife resource** at any time and at any place covered by this chapter **unless the owner of the land**, submerged land, or water, or the **owner's agent, consents**.
- (b) Except as provided by Subsection (c), a person who violates Subsection (a) the first time commits an offense that is a Class A Parks and Wildlife Code misdemeanor and is punishable in addition by the revocation or suspension under Section 12.5015 of hunting and fishing licenses and permits.
- Compliance Timeline = numerous years (unknown by respondent)

# Wyoming

- 23-3-305 Hunting from highway; entering enclosed property without permission; penalty; hunting at night without permission prohibited.
- No person **shall enter upon the private property** of any person to **hunt, fish, or trap without the permission of the owner or person in charge of the property.**  
Violation of this subsection constitutes a low misdemeanor punishable as provided in W.S. 23-6-202(a)(v).
- Compliance Timeline = > 17 years in place.

# Arizona

- 13-1502 Criminal trespass in the third degree.
- A person commits criminal trespass in the third degree by;
- Knowingly entering or remaining unlawfully on any real property after a reasonable request to leave by the owner or any other person having lawful control over such property, or reasonable notice prohibiting entry.
- Compliance Timeline = > 50 years in place.

State	Law	Average Cit/year	Fine Amt.	Revocation	% Private Land
New Mexico (deer only)	Landowner Consent Required	21	\$50-500	Up to 3 years (only if kill a deer)	49.5
New Mexico	Criminal Trespass	38	\$1000	Up to 3 years	49.5
Colorado	Landowner Consent Required	300	\$ 100	Up to 5 years	45
Colorado	Criminal Trespass	27	\$50-500	Possible	45
Texas	Landowner Consent Required	94	\$25-500	Up to 5 years	90+
Texas	Criminal Trespass	450	\$25-500	No	90+
Wyoming	Landowner Consent Required	250	\$210	After 2 <sup>nd</sup> offense	46
Wyoming	Criminal Trespass	N/A	N/A	No	46
Arizona	Landowner Consent Required	N/A	N/A	N/A	30
Arizona	Criminal Trespass	< 20	\$75-300	Up to 5 years	30



# Summary

*4 states currently have some legal requirements in place where a hunter must obtain consent or permission to enter private property even though no posting or notice requirement is necessary. Failure to obtain consent can result in a violation and subject the person to criminal punishment and revocation.*

*AZ has a knowingly entering or remaining provision similar to NM & differs from the other 4 states (which puts the responsibility on the hunter).*