

ASSEMBLY, No. 595

STATE OF NEW JERSEY

213th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2008 SESSION

Sponsored by:

Assemblywoman MARCIA A. KARROW

District 23 (Warren and Hunterdon)

Assemblywoman ALISON LITTELL MCHOSE

District 24 (Sussex, Hunterdon and Morris)

Assemblyman NELSON T. ALBANO

District 1 (Cape May, Atlantic and Cumberland)

Assemblyman MATTHEW W. MILAM

District 1 (Cape May, Atlantic and Cumberland)

Co-Sponsored by:

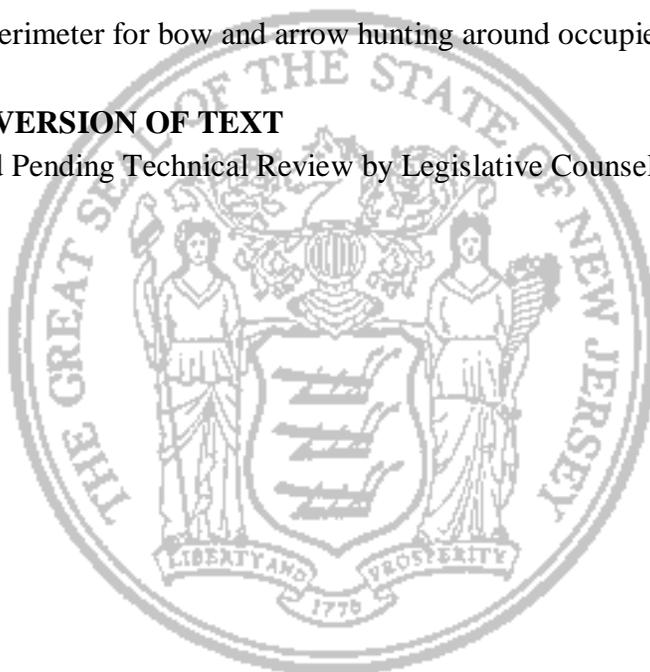
Assemblymen Merkt and Chiusano

SYNOPSIS

Changes perimeter for bow and arrow hunting around occupied building.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 2/8/2008)

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1 AN ACT concerning hunting with bow and arrow, and amending
2 R.S.23:4-16.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. R.S.23:4-16 is amended to read as follows:

8 23:4-16. a. No person, either in or on a motor vehicle or vehicle
9 of any kind whatsoever, or by the aid or use of a light carried on or
10 attached to a motor vehicle or vehicle of any kind, shall hunt for,
11 pursue, shoot, shoot at, kill, capture, injure or destroy wildlife.

12 b. No person shall use any portable light or lights for the
13 purpose of hunting for any wildlife excepting raccoon and opossum,
14 or other species as provided by the State Game Code.

15 c. No person shall, for the purpose of hunting, taking or killing
16 any wildlife, cast an arrow or discharge any firearm from or across
17 any State, county, municipal, or publicly travelled road or highway.

18 d. (1) No person, except the owner or lessee of the building and
19 persons specifically authorized by him in writing, which writing
20 shall be in the person's possession, shall, for the purpose of hunting,
21 taking or killing any wildlife, have in his possession a loaded
22 firearm **[or nocked arrow]** while within 450 feet of any occupied
23 building in this State, or of any school playground. **[For the**
24 **purposes of this section, "occupied building" means any building**
25 **constructed or adapted for overnight accommodation of a person, or**
26 **for operating a business or engaging in an activity therein, whether**
27 **or not a person is actually present.]**

28 (2) No person, except the owner or lessee of the building and
29 persons specifically authorized by him in writing, which writing
30 shall be in the person's possession, shall, for the purpose of
31 hunting, taking or killing any wildlife, have in his possession a
32 nocked arrow while within 150 feet of any occupied building in this
33 State, or within 450 feet of any school playground.

34 (3) For the purposes of this subsection, "occupied building"
35 means any building constructed or adapted for overnight
36 accommodation of a person, or for operating a business or engaging
37 in an activity therein, whether or not a person is actually present.

38 e. A person who violates subsection a., b., or c. of this section
39 shall be liable to a civil penalty of not less than **[\$100.00]** \$100 nor
40 more than **[\$200.00]** \$200 for the first offense, and not less than
41 **[\$200.00]** \$200 nor more than **[\$500.00]** \$500 for each subsequent
42 offense. A person who violates subsection d. of this section shall be
43 liable to a civil penalty of not less than **[\$100.00]** \$100 nor more
44 than **[\$300.00]** \$300 for the first offense, and not less than

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

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1 ~~【\$300.00】~~ \$300 nor more than ~~【\$1,500.00】~~ \$1500 and permanent
2 revocation of all license certificates required, and all privileges, to
3 take or possess wildlife for each subsequent offense.

4 (cf: P.L.1990, c.29, s.2)

5

6 2. This act shall take effect immediately.

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STATEMENT

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11 This bill would amend current law to provide that no person,
12 except the owner or lessee of the building and persons specifically
13 authorized by the owner or lessee in writing shall, for the purpose
14 of hunting, taking or killing any wildlife, have in the person's
15 possession a nocked arrow while within 150 feet of any occupied
16 building in this State, or within 450 feet of any school playground.

17 Current law provides that no person shall, for the purpose of
18 hunting, taking or killing any wildlife, have in the person's
19 possession a loaded firearm or nocked arrow while within 450 feet
20 of any occupied building in this State, or of any school playground.
21 The bill does not change the 450 foot requirement with respect to a
22 loaded firearm.