

ASSEMBLY, No. 792

STATE OF NEW JERSEY

218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

Sponsored by:

Assemblyman BOB ANDRZEJCZAK

District 1 (Atlantic, Cape May and Cumberland)

Assemblyman ADAM J. TALIAFERRO

District 3 (Cumberland, Gloucester and Salem)

Assemblyman PARKER SPACE

District 24 (Morris, Sussex and Warren)

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

Co-Sponsored by:

Assemblyman Harold J. Wirths

SYNOPSIS

Authorizes issuance of multi-species depredation permit for wildlife control on farmland.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 2/13/2018)

1 AN ACT concerning wildlife control on cultivated land, amending
2 R.S.23:4-42, and supplementing Title 23 of the Revised Statutes.

3

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

6

7 1. R.S.23:4-42 is amended to read as follows:

8 23:4-42. a. Except as provided in subsection b. of this section,
9 no person shall hunt for, pursue, shoot at, take, kill, wound or
10 attempt to take, kill or wound a deer of any description prohibited
11 by the provisions of the State Fish and Game Code, or hunt for,
12 pursue, shoot at, take, kill, wound or attempt to take, kill or wound
13 any wild deer at any time except during the period permitted by the
14 State Fish and Game Code, or kill in any one year more than the
15 number of deer permitted by the State Fish and Game Code.

16 b. The owner or lessee of any land, a portion of which is under
17 cultivation, or the authorized agents of the owner or lessee having
18 on their person a written permit issued by the division and
19 countersigned by the owner or lessee may kill any deer that may be
20 found on that land during the period covered by the permit. If
21 requested by the owner or lessee of the land, the period covered by
22 the permit issued to the owner or lessee, or authorized agent
23 thereof, shall also include the entire months of February and March.
24 The carcass of a deer killed under such permit shall become the
25 property of the division and may be removed and disposed of in the
26 manner it directs, unless the carcass cannot be located after a good
27 faith effort, as defined by the State Fish and Game Code. For the
28 purpose of this section, "land under cultivation" shall mean (1)
29 pasture fields that are seeded with cultivated grass or that have been
30 so seeded within the prior 12 months, or (2) land on which planted
31 crops are growing or were growing within the prior 12 months. The
32 division may require the owner or lessee of the land to provide
33 evidence of deer damage within the prior 12 months as a condition
34 of issuing a permit pursuant to this subsection.

35 (cf: P.L.1999, c.327, s.1)

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37 2. (New section) The owner or lessee of any land, a portion of
38 which is under cultivation, or the authorized agents of the owner or
39 lessee, having on their person a written permit, to be known as a
40 multi-species depredation permit, issued by the division and
41 countersigned by the owner or lessee, may kill any animal of a
42 species identified in the permit which is on the land and known to
43 cause crop damage. A multi-species depredation permit shall list
44 all species to which the permit applies, as determined by the
45 division, but in every case shall include deer, and shall not include

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.

1 the requirement to retrieve the carcass of any animal killed under
2 the authority of the permit. For the purpose of this section, "land
3 under cultivation" means (1) pasture fields that are seeded with
4 cultivated grass or that have been so seeded within the prior 12
5 months, or (2) land on which planted crops are growing or were
6 growing within the prior 12 months.

7

8 3. This act shall take effect immediately.

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STATEMENT

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13 This bill requires the establishment of a multi-species
14 depredation permit which would allow an owner or lessee of any
15 land, a portion of which is under cultivation, or the authorized
16 agents of the owner or lessee, to kill any animal of a species listed
17 in the permit which is on the land and known to cause crop damage.
18 Current law and regulations allow for such permits to be issued with
19 respect to deer.

20 This bill also removes the statutory responsibility to locate an
21 animal carcass killed pursuant to a valid depredation permit when
22 the carcass cannot be located after a good faith effort. Current law
23 places conditions on a permit holder with respect to the retrieval of
24 a deer's carcass, which can be onerous or, in some cases,
25 impossible.