

# ASSEMBLY, No. 1683

## STATE OF NEW JERSEY 214th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2010 SESSION

**Sponsored by:**

**Assemblyman JOHN J. BURZICHELLI**

**District 3 (Salem, Cumberland and Gloucester)**

**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:**

**Assemblyman Chiusano, Assemblywoman Addiego, Assemblyman Rudder  
and Assemblywoman Riley**

**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: 3/9/2010)**

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:

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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, and a nocked  
34 arrow shall only be cast when a person is in an elevated position so  
35 that any arrow is aimed in a downward angle.

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

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

**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 liable to a civil penalty of not less than ~~[\$100.00]~~ \$100 nor more  
2 than ~~[\$300.00]~~ \$300 for the first offense, and not less than  
3 ~~[\$300.00]~~ \$300 nor more than ~~[\$1,500.00]~~ \$1,500 and permanent  
4 revocation of all license certificates required, and all privileges, to  
5 take or possess wildlife for each subsequent offense.

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

7

8 2. This act shall take effect immediately.

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#### STATEMENT

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

19 The bill further provides that any person with a nocked arrow,  
20 upon written authorization by the owner or lessee of an occupied  
21 building or school playground, would be able to cast an arrow only  
22 within the restricted perimeter established in the bill if the person  
23 was elevated and the arrow was aimed in a downward angle.

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