

ASSEMBLY, No. 1933

STATE OF NEW JERSEY

INTRODUCED MAY 6, 1996

By Assemblymen ASSELTA, BODINE, Gibson and  
Assemblywoman Bark

1 AN ACT concerning hunting with bait, supplementing Title 23 of the  
2 Revised Statutes, and repealing P.L.1970, c.180.

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

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7 1. a. Except as may be otherwise provided with respect to  
8 waterfowl hunting pursuant to R.S.23:4-15 or any rule or regulation  
9 adopted pursuant thereto, it shall be lawful to: (1) use bait to attract,  
10 entice, or lure a game bird or game animal; and (2) kill, destroy, injure,  
11 shoot, shoot at, take, wound, or attempt to take, kill, or wound, a  
12 game bird or game animal, or have in possession or control any firearm  
13 or other weapon of any kind for such purposes, within any distance of  
14 a baited area. A person may be elevated in a standing tree or in a  
15 structure of any kind when using a baited area for hunting, and the  
16 baited area may be within any distance of the standing tree or  
17 structure.

18 The provisions of this subsection shall not apply in counties of the  
19 first class except in such game management zones therein as may be  
20 designated therefor by the Division of Fish, Game and Wildlife and  
21 approved by the Fish and Game Council.

22 b. For the purposes of this section, "baited area" means the  
23 presence of placed, exposed, deposited, distributed, or scattered  
24 agricultural products, salt, or other edible lure whatsoever capable of  
25 attracting, enticing, or luring game birds or game animals.

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27 2. P.L.1970, c.180 (C.23:4-24.2 and C.23:4-24.3) is repealed.

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29 3. This act shall take effect immediately.

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32 STATEMENT

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34 This bill would generally authorize the use of bait when hunting and  
35 repeal current law enacted in 1970 that places certain requirements  
36 and restrictions on the practice.

1 Current law allows the use of bait when hunting if the hunter is on  
2 the ground and is not hunting from a structure such as a blind.  
3 However, if the hunter is elevated in a standing tree, or is in a  
4 structure such as a blind, the use of bait is not allowed unless the  
5 hunter is at least 300 feet from the baited area.

6 The bill would remove all conditions on this hunting method and  
7 again allow hunting with bait without restriction, as was the case prior  
8 to 1970 (except with regard to waterfowl). However, the bill would  
9 not rescind or otherwise affect restrictions on the baiting of waterfowl  
10 as set forth in R.S.23:4-15 and any rules or regulations adopted  
11 pursuant thereto. In addition, the bill's provisions would not allow  
12 hunting with bait in counties of the first class (Bergen, Essex, and  
13 Hudson) except in such game management zones therein as may be  
14 designated therefor by the Division of Fish, Game and Wildlife and  
15 approved by the Fish and Game Council.

16 This bill is necessary because of the extensive deer population in the  
17 State that is damaging crops and landscape plants in many areas. The  
18 bill will make it easier for hunters to control the excess deer  
19 population.

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24 Expands conditions allowed for use of bait when hunting.