

§§ 1,2  
C. 23:4-42.1  
&  
23:4-42.2

P.L. 1997, CHAPTER 123, *approved June 20, 1997*  
Assembly, No. 1932 (*Third Reprint*)

1 AN ACT concerning permits issued to control crop damage caused by  
2 deer 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. Notwithstanding <sup>1</sup>the provisions of R.S.23:4-45 or<sup>1</sup> any <sup>1</sup>other<sup>1</sup>  
8 law, rule, regulation, or provision of the State Fish and Game Code to  
9 the contrary, whenever a permit is issued by the State to a person to  
10 kill deer causing crop damage <sup>1</sup>on land under cultivation pursuant to  
11 R.S.23:4-42<sup>1</sup>, it shall be lawful for the permittee or authorized agent  
12 thereof, for the purposes authorized by the permit and only while on  
13 the land or lands <sup>1</sup>under cultivation which are<sup>1</sup> owned or leased by that  
14 <sup>2</sup>[person] permittee<sup>2</sup> <sup>1</sup>, but not on or along any public highway  
15 adjacent thereto,<sup>1</sup> and for which the permit is issued, to:

16 a. Kill either sex deer at any time of day or night <sup>3</sup>, except that the  
17 Fish and Game Council may impose such restrictions thereon as may  
18 be necessary to protect the general public<sup>3</sup>;

19 b. <sup>3</sup>[Discharge a firearm <sup>1</sup>authorized pursuant to R.S.23:4-44<sup>1</sup> from  
20 a motor vehicle or any other kind of vehicle <sup>2</sup>provided the vehicle has  
21 come to a complete stop<sup>2</sup>;

22 c.]<sup>3</sup> Transport, possess, have in the permittee's or agent's control,  
23 or keep firearms <sup>1</sup>authorized pursuant to R.S.23:4-44<sup>1</sup> uncased,  
24 <sup>3</sup>[loaded] unloaded<sup>3</sup>, and outside the trunk while in or on a motor  
25 vehicle or any other kind of vehicle <sup>3</sup>[<sup>2</sup>notwithstanding the provisions  
26 of N.J.S.2C:39-6 to the contrary<sup>2</sup>]<sup>3</sup> ;

27 <sup>3</sup>[d.] c.<sup>3</sup> Utilize an illuminating device or devices, including but not  
28 limited to a spotlight, flashlight, floodlight, or headlight, whether

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup> Assembly AAW committee amendments adopted June 17, 1996.

<sup>2</sup> Senate SSV committee amendments adopted September 19, 1996.

<sup>3</sup> Assembly amendments adopted in accordance with Governor's recommendations January 23, 1997.

1 portable or fixed to a motor vehicle or any other kind of vehicle, to  
2 locate and stun deer; and

3 <sup>3</sup>[e.] d.<sup>3</sup> Be assisted by the use of a driver for the motor vehicle or  
4 other kind of vehicle, and by a person or persons operating the  
5 illuminating device or devices, none of whom shall be required to  
6 possess a firearms purchaser identification card while providing such  
7 assistance.

8  
9 <sup>2</sup>2. The Division of Fish, Game and Wildlife shall include in its  
10 annual report the number of deer killed pursuant to permits issued for  
11 the purposes set forth in R.S.23:4-42.<sup>2</sup>

12  
13 <sup>2</sup>[2.] 3.<sup>2</sup> This act shall take effect immediately.

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18 Removes certain conditions imposed on permits to kill deer causing  
19 crop damage.