

# ASSEMBLY, No. 3732

## STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED MAY 2, 2022

**Sponsored by:**

**Assemblywoman SHAMA A. HAIDER**  
**District 37 (Bergen)**

**Co-Sponsored by:**

**Assemblyman Schaer**

**SYNOPSIS**

Changes perimeter for bow and arrow hunting around certain buildings; requires property owner to provide notice and obtain receipt from owners of adjacent properties of any hunting activity; designated as “Restoring Safety Buffer Law.”

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 6/13/2022)

A3732 HAIDER

2

1 AN ACT concerning hunting and designated as “Restoring Safety  
2 Buffer Law,” amending R.S.23:4-16, and supplementing Title 23  
3 of the Revised Statutes.

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

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

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

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

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

19 d. (1) No person, except the owner or lessee of the building  
20 and persons specifically authorized by him in writing, which  
21 writing shall be in the person's possession, shall, for the purpose of  
22 hunting, taking or killing any wildlife, have in his possession a  
23 loaded firearm while within 450 feet of any occupied building in  
24 this State, or of any school playground.

25 (2) No person, except the owner or lessee of the building and  
26 persons specifically authorized by him in writing, which writing  
27 shall be in the person's possession, shall, for the purpose of hunting,  
28 taking or killing any wildlife, have in his possession a nocked arrow  
29 while within **[150]** 450 feet of any occupied building in this State,  
30 or **[within 450 feet]** of any school playground, and a nocked arrow  
31 shall only be cast when a person is in an elevated position so that  
32 any arrow is aimed in a downward angle.

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

37 e. A person who violates subsection a., b., or c. of this section  
38 shall be liable to a civil penalty of not less than \$100 nor more than  
39 \$200 for the first offense, and not less than \$200 nor more than  
40 \$500 for each subsequent offense. A person who violates  
41 subsection d. of this section shall be liable to a civil penalty of not  
42 less than \$100 nor more than \$300 for the first offense, and not less  
43 than \$300 nor more than **[\$1500]** \$1,500 and permanent revocation  
44 of all license certificates required, and all privileges, to take or  
45 possess wildlife for each subsequent offense.

46 (cf: P.L.2010, c.53, s.1)

**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           2. (New section) a. A person who hunts, takes, or kills wildlife,  
2 or permits hunting, taking, or killing of wildlife on private property  
3 owned by the person shall provide written notice to, and obtain written  
4 confirmation of its receipt from, both the owner and occupant of each  
5 property sharing a boundary with the property on which the hunting,  
6 taking, or killing of wildlife will occur, at least 24 hours in advance,  
7 that hunting, taking, or killing of wildlife will occur on the property,  
8 including the date, time, and duration thereof.

9           b. A person who violates the provisions of this section shall be  
10 subject to a civil penalty of not less than \$100 nor more than \$300 for  
11 the first offense, and not less than \$300 nor more than \$1,500 and  
12 permanent revocation of all license certificates required, and all  
13 privileges, to take or possess wildlife for each subsequent offense.  
14

15           3. This act shall take effect immediately.  
16  
17

18                           STATEMENT  
19

20           This bill amends current law to provide that, except for the  
21 owner or lessee of the building and persons specifically authorized  
22 by the owner or lessee in writing, a person shall not possess a  
23 nocked arrow for the purpose of hunting, taking, or killing wildlife  
24 while within 450 feet of an occupied building or a school  
25 playground. Current law prohibits hunting, taking, or killing of  
26 wildlife within 150 feet of an occupied building and within 450 feet  
27 of a school playground. In addition, the bill requires an owner of  
28 private property to provide written notice and obtain a written  
29 confirmation of its receipt from neighboring property owners and  
30 occupants that hunting, taking, or killing of wildlife will occur on  
31 the property.

32           This bill, named "Restoring Safety Buffer Law," is in response to  
33 the tragic death of Tonka, beloved pet of a family living in  
34 Hunterdon County. Tonka, an Alaskan shepherd, was mistakenly  
35 shot with an arrow by a deer hunter. Tonka's family was unaware  
36 that hunting was occurring on the adjacent property and, therefore,  
37 was unable to take extra precautions to protect him from harm.  
38 This bill seeks to prevent this type of tragedy from occurring again  
39 by prohibiting hunting with a bow and arrow within 450 feet of an  
40 occupied building or a school playground, and requiring that a  
41 private property owner provide written notice and obtain a written  
42 confirmation of its receipt from neighboring property owners and  
43 occupants at least 24 hours prior to the occurrence of any hunting  
44 activity on the private property from the neighboring property  
45 owners. The private property owner is required to notify all  
46 property owners and occupants sharing a boundary with the  
47 property on which the hunting will occur.