

SENATE, No. 2409

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED MARCH 24, 2022

Sponsored by:

Senator NILSA I. CRUZ-PEREZ

District 5 (Camden and Gloucester)

Senator VIN GOPAL

District 11 (Monmouth)

Co-Sponsored by:

Senators Johnson and Zwicker

SYNOPSIS

Prohibits harassing or taking of certain wildlife at competitive event; establishes penalties.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/29/2022)

1 AN ACT concerning the harassing or taking of certain wildlife at
2 competitive events, and supplementing Title 23 of the Revised
3 Statutes.

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

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8 1. As used in this act:

9 "Competitive event" means any activity, competition, contest,
10 derby, tournament, or other organized activity where participants are
11 encouraged to take wildlife and are rewarded by the receipt of a prize
12 or any kind of inducement or reward.

13 "Covered wildlife" means a bobcat, coyote, crow, fox, mink,
14 opossum, rabbit, raccoon, skunk, squirrel, weasel, woodchuck, or the
15 dead body or parts thereof.

16 "Division" means the Division of Fish and Wildlife in the
17 Department of Environmental Protection.

18 "Harass" means to annoy, attack, disrupt normal behavior patterns
19 of, or otherwise disturb wildlife without taking it.

20 "Person" means any individual, association, estate, firm, joint
21 venture, limited liability corporation, organization, partnership,
22 receiver, syndicate, trust, or other legal entity.

23 "Take" means to hunt, capture, kill, trap, catch, net, possess, or
24 collect, or to attempt to hunt, capture, kill, trap, catch, net, possess, or
25 collect, wildlife.

26
27 2. a. Except in conjunction with a field trial or field day
28 authorized by a license issued pursuant to R.S.23:4-26, it shall be
29 unlawful:

30 (1) to harass or take covered wildlife at a competitive event; or

31 (2) for any person to organize, sponsor, promote, conduct, or
32 participate in a competitive event at which the participants harass or
33 take covered wildlife.

34 b. A person who violates this section shall be guilty of a
35 disorderly persons offense and, in addition to the applicable penalties
36 pursuant to Title 2C of the New Jersey Statutes, shall be subject to a
37 five-year suspension of:

38 (1) any license or permit issued to the person by the Division of
39 Fish and Wildlife; and

40 (2) all privileges to take or possess wildlife.

41 c. Any covered wildlife injured as a result of a competitive event
42 held in violation of this section shall be transported to a licensed
43 wildlife rehabilitator or State licensed veterinarian for proper treatment
44 or, if necessary, the administration of humane euthanasia. Euthanasia
45 shall only be administered after the best efforts to rehabilitate and
46 release the animal have failed.

47 d. The Division of Fish and Wildlife shall forfeit the remains of
48 any covered wildlife killed at a competitive event held in violation of

1 this section, or euthanized pursuant to subsection c. of this section,
2 from the organizer, participant, or promotor in possession thereof, as
3 applicable. It shall become the property of the division.

4 e. The provisions of this section may be enforced by municipal
5 police officers, the State Police, and law enforcement officers in the
6 Division of Fish and Wildlife and the Division of Parks and Forestry in
7 the Department of Environmental Protection.

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9 3. This act shall take effect immediately.

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STATEMENT

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14 This bill prohibits the harassing or taking of certain wildlife
15 (defined as "covered wildlife" in the bill) at a competitive event,
16 except in conjunction with a field trial or field day authorized by a
17 license issued pursuant to R.S.23:4-26. The bill also prohibits any
18 person from organizing, sponsoring, promoting, conducting, or
19 participating in a competitive event at which the participants harass
20 or take covered wildlife except in conjunction with such an
21 authorized field trial or field day. "Covered wildlife" is defined as a
22 bobcat, coyote, crow, fox, mink, opossum, rabbit, raccoon, skunk,
23 squirrel, weasel, woodchuck, or the dead body or parts thereof.

24 The bill provides that a person who violates the prohibitions in
25 the bill would be guilty of a disorderly persons offense and, in
26 addition to the applicable penalties pursuant to Title 2C of the New
27 Jersey Statutes, would also have suspended for five years:

28 1) any license or permit issued to the person by the Division of
29 Fish and Wildlife; and

30 2) all privileges to take or possess wildlife.

31 A disorderly persons offense is subject to a penalty of up to six
32 months of imprisonment, a fine up to \$1,000, or both.

33 This bill requires any covered wildlife injured as a result of a
34 competitive event to be transported to a licensed wildlife
35 rehabilitator or State licensed veterinarian for proper treatment or to
36 be euthanized if necessary. The bill authorizes the Division of Fish
37 and Wildlife to forfeit the remains of any covered wildlife killed at
38 a competitive event held in violation of this bill or euthanized as a
39 result of the competitive event. Forfeited remains would become
40 property of the Division of Fish and Wildlife. The bill directs
41 municipal police officers, the State Police, and law enforcement
42 officers in the Division of Fish and Wildlife and the Division of
43 Parks and Forestry in the Department of Environmental Protection
44 to enforce the bill's provisions.