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

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

1. As used in this act:
   "Competitive event" means any activity, competition, contest, derby, tournament, or other organized activity where participants are encouraged to take wildlife and are rewarded by the receipt of a prize or any kind of inducement or reward.
   "Covered wildlife" means a bobcat, coyote, crow, fox, mink, opossum, rabbit, raccoon, skunk, squirrel, weasel, woodchuck, or the dead body or parts thereof.
   "Division" means the Division of Fish and Wildlife in the Department of Environmental Protection.
   "Harass" means to annoy, attack, disrupt normal behavior patterns of, or otherwise disturb wildlife without taking it.
   "Person" means any individual, association, estate, firm, joint venture, limited liability corporation, organization, partnership, receiver, syndicate, trust, or other legal entity.
   "Take" means to hunt, capture, kill, trap, catch, net, possess, or collect, or to attempt to hunt, capture, kill, trap, catch, net, possess, or collect, wildlife.

2. a. Except in conjunction with a field trial or field day authorized by a license issued pursuant to R.S.23:4-26, it shall be unlawful:
   (1) to harass or take covered wildlife at a competitive event; or
   (2) for any person to organize, sponsor, promote, conduct, or participate in a competitive event at which the participants harass or take covered wildlife.

   b. A person who violates this section shall be guilty of a disorderly persons offense and, in addition to the applicable penalties pursuant to Title 2C of the New Jersey Statutes, shall be subject to a five-year suspension of:
      (1) any license or permit issued to the person by the Division of Fish and Wildlife; and
      (2) all privileges to take or possess wildlife.

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

   d. The Division of Fish and Wildlife shall forfeit the remains of any covered wildlife killed at a competitive event held in violation of
this section, or euthanized pursuant to subsection c. of this section, from the organizer, participant, or promoter in possession thereof, as applicable. It shall become the property of the division.

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

3. This act shall take effect immediately.

STATEMENT

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

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

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

2) all privileges to take or possess wildlife.

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

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