

CHAPTER 83

AN ACT concerning hunting licenses, supplementing Title 23 of the Revised Statutes, and amending various parts of the statutory law.

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

1. R.S.23:1-1 is amended to read as follows:

Definitions.

23:1-1. As used in this title:

"Apprentice license" means any resident's apprentice firearm hunting license, resident's apprentice bow and arrow license, nonresident's apprentice firearm hunting license, or nonresident's apprentice bow and arrow license issued pursuant to R.S.23:3-4.

"Assistant protector" or "assistant fish and game protector" means the Deputy Chief of the Bureau of Law Enforcement in the division;

"Closed season" means the date and time of year when wildlife may not be captured, taken, killed, or had in possession in the field;

"Code" means the State Fish and Game Code;

"Conservation officer" means any sworn, salaried member of the Bureau of Law Enforcement in the division holding the titles of Conservation Officer I, II, or III, and includes the titles of Supervising Conservation Officer and Chief of the Bureau of Law Enforcement;

"Council" means the Fish and Game Council in the Division of Fish and Wildlife in the Department of Environmental Protection;

"Delaware river" means the waters of the Delaware river from the Pennsylvania shore to the New Jersey shore, or in the case of any tributaries or inland bays on the New Jersey side, to the mouths of those tributaries or bays;

"Deputy warden" or "deputy fish and game warden" means any commissioned deputy conservation officer of the Bureau of Law Enforcement in the division;

"Division," "Division of Fish, Game and Wildlife," "board," or "Board of Fish and Game Commissioners" means the Division of Fish and Wildlife in the Department of Environmental Protection;

"Fishing" means the possession of an instrument used to take fish in a condition that makes the instrument readily usable, while in a place or in proximity thereto where fish may be found;

"Hunting" means the possession of an instrument used to take wildlife in a condition that makes the instrument readily usable, while in a place or in proximity thereto where wildlife may be found;

"Open season" means the date and time of year when wildlife may be captured, taken, killed, or had in possession;

"Protector" or "fish and game protector" means the Chief of the Bureau of Law Enforcement in the division;

"Warden" or "fish and game warden" means a conservation officer;

"Wildlife" means any wild mammal, bird, reptile, amphibian, fish, mollusk, crustacean or other wild animal or any part, product, egg or offspring or the dead body or parts thereof.

C.23:3-3.1 Issuance of apprentice firearm, bow and arrow licenses.

2. a. The Division of Fish and Wildlife may, in its discretion, issue an apprentice firearm hunting license to a citizen of the United States above 14 years of age. The division shall not require an applicant to complete a course in gun safety as a condition of issuing an

apprentice firearm hunting license to an applicant. The license shall authorize a licensee to hunt only with hounds or firearms and only when accompanied by a holder, above 21 years of age, of a regular resident's or nonresident's firearm hunting license. A person may not serve as an accompanying firearm hunting license holder to more than one holder of an apprentice firearm hunting license at a time. The apprentice firearm hunting license shall be void after December 31 of the year of its issuance and may be issued to a person only twice during the person's lifetime. The accompanying firearm hunting license holder shall be subject to all penalties for violations committed by the holder of the apprentice firearm hunting license while under their direct supervision.

As used in this subsection, "direct supervision" means the holder of the apprentice firearm hunting license and the accompanying firearm hunting license holder are hunting together as a unit at the same location.

b. The division may, in its discretion, issue an apprentice bow and arrow license to a citizen of the United States above 14 years of age. The division shall not require an applicant to complete a course in bow and arrow safety as a condition of issuing an apprentice firearm hunting license to an applicant. The license shall authorize a licensee to hunt only with bow and arrow and only when accompanied by a holder, above 21 years of age, of a regular resident's or nonresident's bow and arrow license. The apprentice bow and arrow license shall be void after December 31 of the year of its issuance and may be issued to a person only twice during the person's lifetime.

3. R.S.23:3-4 is amended to read as follows:

Types of licenses; fees.

23:3-4. The licenses issued under this article shall include, among others authorized by law, the following:

a. A license issued to a person above 16 years of age, or in the case of an apprentice firearm hunting license or an apprentice bow and arrow license, a license issued to a person above 14 years of age, who has an actual and bona fide domicile in this State at the time of the application for the license and who has had an actual and bona fide domicile in this State for at least six months immediately prior thereto, provided that for a resident's trapping license the person shall be above 12 years of age. These licenses shall be designated as the resident's firearm hunting license, the resident's bow and arrow license, the resident's trapping license, the resident's fishing license, the resident's apprentice firearm hunting license, and the resident's apprentice bow and arrow license.

(1) (a) The resident's firearm hunting license shall authorize its holder to hunt with hounds and firearms only, and a fee of \$26.50 and an issuance fee of \$1.00 shall be charged therefor, except that a person above the age of 65 years shall be charged a fee of \$14.50 and an issuance fee of \$1.00.

(b) The resident's apprentice firearm hunting license shall authorize its holder to hunt only with hounds and firearms and only when accompanied by a holder, above 21 years of age, of a regular resident's or nonresident's firearm hunting license. A fee of \$26.50 and an issuance fee of \$1.00 shall be charged for a resident's apprentice firearm hunting license, except that a person above the age of 65 years shall be charged a fee of \$14.50 and an issuance fee of \$1.00. The resident's apprentice firearm hunting license may be issued to a person only twice during the lifetime of the person.

(2) (a) The resident's bow and arrow license shall authorize its holder to hunt with bow and arrow only, and a fee of \$30.50 and an issuance fee of \$1.00 shall be charged therefor,

except that a person above the age of 65 years shall be charged a fee of \$15.50 and an issuance fee of \$1.00.

(b) The resident's apprentice bow and arrow license shall authorize its holder to hunt only with bow and arrow and only when accompanied by a holder, above 21 years of age, of a regular resident's or nonresident's bow and arrow license. A fee of \$30.50 and an issuance fee of \$1.00 shall be charged for a resident's apprentice bow and arrow license, except that a person above the age of 65 years shall be charged a fee of \$15.50 and an issuance fee of \$1.00. The resident's apprentice bow and arrow license may be issued to a person only twice during the lifetime of the person.

(3) The resident's trapping license shall authorize its holder to trap only, and a fee of \$31.50 and an issuance fee of \$1.00 shall be charged therefor, except that a person above 12 years and under 16 years of age shall be charged no fee.

(4) The resident's fishing license shall authorize its holder to fish only, and a fee of \$21.50 and an issuance fee of \$1.00 shall be charged therefor, except that (a) in any case where the applicant is above 70 years of age and is otherwise qualified, no license shall be required, and (b) a person above 65 years and under 70 years of age shall be charged a fee of \$11.50 and an issuance fee of \$1.00.

(5) Any resident of this State who is afflicted with total blindness, upon application to the division, shall be entitled to a resident's fishing license without fee or charge.

b. A license issued to a person above 16 years of age, or in the case of an apprentice firearm hunting license or an apprentice bow and arrow license, a license issued to a person above 14 years of age, not entitled to a resident's license, authorizing him to trap or to hunt, as applicable, except that a nonresident's two-day small game firearm hunting license shall not permit the taking, hunting, or killing of deer or turkey. These licenses shall be designated as the nonresident's firearm hunting license, the nonresident's apprentice firearm hunting license, the nonresident's bow and arrow license, the nonresident's apprentice bow and arrow license, the nonresident's trapping license, and the nonresident's two-day small game firearm hunting license.

A nonresident's apprentice firearm hunting license shall authorize its holder to hunt only with hounds and firearms and only when accompanied by a holder, above 21 years of age, of a regular resident's or nonresident's firearm hunting license. A nonresident's apprentice bow and arrow license shall authorize its holder to hunt with bow and arrow only and only when accompanied by a holder, above 21 years of age, of a regular resident's or nonresident's bow and arrow license. The nonresident's apprentice firearm hunting license and the nonresident's apprentice bow and arrow license may each be issued to a person only twice during the lifetime of the person.

(1) The fees for the nonresident's firearm hunting license, the nonresident's apprentice firearm hunting license, the nonresident's bow and arrow license, and the nonresident's apprentice bow and arrow license shall each be \$134.50 and an issuance fee of \$1.00.

(2) The fee for the nonresident's trapping license shall be \$199.50 and an issuance fee of \$1.00.

(3) The fee for a nonresident's two-day small game firearm hunting license shall be \$35.50 and an issuance fee of \$1.00.

c. A license issued to a person above 16 years of age not entitled to a resident's license, authorizing him to fish only. These licenses shall be designated as the nonresident's annual fishing license, the nonresident's two-day fishing license, valid for a period of two consecutive days, and the nonresident's seven-day vacation fishing license, valid for a period of seven consecutive days.

(1) The fee for the nonresident's annual fishing license shall be \$33.00 and an issuance fee of \$1.00.

(2) The fee for the nonresident's two-day fishing license shall be \$8.00 and an issuance fee of \$1.00.

(3) The fee for the nonresident's seven-day fishing license shall be \$18.50 and an issuance fee of \$1.00.

d. Every license issued hereunder shall be void after December 31 next succeeding its issuance, except the one-day hunting license, which shall expire on the date of issuance; the nonresident's seven-day fishing license, which is valid only for seven consecutive days after date of issuance; the nonresident's two-day fishing license, which shall expire on the day after the date of issuance; and the nonresident's two-day small game firearm hunting license, which shall expire on the day after the date of issuance.

Any license issued hereunder to a person under 16 years of age shall be void after December 31 of the year in which the licensee becomes 16 years of age.

e. The fees for licenses set forth in this section may be adjusted by the Fish and Game Council pursuant to section 12 of P.L.1982, c.180 (C.23:3-1a).

4. Section 1 of P.L.1954, c.57 (C.23:3-4.2) is amended to read as follows:

C.23:3-4.2 Applicants 10 or over; certificate showing completion of gun safety course.

1. a. Notwithstanding any provisions contained in sections 23:3-1 to 23:3-22 of the Revised Statutes, concerning the issuance of resident or nonresident firearm hunting licenses, at the time an application for a firearm hunting license that is not an apprentice license is made by an applicant above the age of 10, to whom a license other than an apprentice license has not previously been issued, such applicant shall present to the issuing agent a certificate stating that the applicant has satisfactorily completed a course in gun safety, which shall be signed by an agent of the Division of Fish and Wildlife designated for the purpose whose fitness to give instructions in safe gun handling has been determined by the Division of Fish and Wildlife of the Department of Environmental Protection. A person above the age of 10 who previously has held a license to engage in hunting, other than an apprentice license, shall not be entitled to purchase another such license in a subsequent year unless at the time of making application he shall submit to the license issuing agent his license of a previous year, or a certification from the Division of Fish and Wildlife stating that he held such a license.

b. An applicant for an apprentice firearm hunting license shall be exempt from the requirement to show that the person has completed a course in gun safety as provided in subsection a. of this section.

5. Section 6 of P.L.1954, c.57 (C.23:3-4.7) is amended to read as follows:

C.23:3-4.7 Conditions for issuance of firearm hunting license; fines.

6. No license issuing agent shall issue a firearm hunting license, other than an apprentice license, to a person above the age of 10, unless the person has submitted a firearm hunting license of a previous year that is not an apprentice license, or a certificate showing that he has successfully completed a course in gun safety given by an individual duly designated by the New Jersey Division of Fish and Wildlife. Any person above the age of 10 who obtains a hunting license under false information within the scope of this act shall be subject to a fine of not less than \$20 nor more than \$200 for each offense.

6. Section 1 of P.L.1957, c.195 (C.23:3-7.1) is amended to read as follows:

C.23:3-7.1 Certificate of completion of bow and arrow safety course.

1. a. Notwithstanding any provisions contained in sections 23:3-1 to 23:3-22 of the Revised Statutes, concerning the issuance of resident or nonresident bow and arrow licenses, any person applying for a bow and arrow license, other than an apprentice license, must present to the issuing agent either a certificate stating that the applicant has satisfactorily completed a course in bow and arrow safety and proficiency, which shall be signed by an agent of the Division of Fish and Wildlife designated for the purpose whose fitness to give instructions in bow handling has been determined by the Division of Fish and Wildlife of the Department of Environmental Protection, or a previously issued bow and arrow license that is not an apprentice license.

b. An applicant for an apprentice bow and arrow license shall be exempt from the requirement to show that the person has completed a course in bow and arrow safety and proficiency as provided in subsection a. of this section.

7. Section 6 of P.L.1957, c.195 (C.23:3-7.6) is amended to read as follows:

C.23:3-7.6 Requirements for issuance of bow and arrow license; fines.

6. No license issuing agent shall issue a bow and arrow license, other than an apprentice license, to any person, unless the person has submitted a bow and arrow license of a previous year that is not an apprentice license, or presents a certificate showing that he has successfully completed a course in bow and arrow safety and proficiency, given by an individual duly designated by the New Jersey Division of Fish and Wildlife. Any person who obtains a bow and arrow hunting license under false information within the scope of this act shall be subject to a fine of \$20.

8. Section 1 of P.L.1958, c.27 (C.23:3-21.1) is amended to read as follows:

C.23:3-21.1 Pointed, metal tipped arrow, prohibition under certain circumstances.

1. Any person who directly or indirectly sells, gives or furnishes to a minor under 16 years of age, other than the holder of a valid bow and arrow hunting license or an apprentice bow and arrow license issued pursuant to R.S. 23:3-4, any pointed or metal tipped arrow, except one designed solely for target use, shall be guilty of a disorderly persons offense.

9. Section 2 of P.L.1958, c.27 (C.23:3-21.2) is amended to read as follows:

C.23:3-21.2 Shooting pointed, metal tipped arrow, prohibited under certain circumstances.

2. Any minor under 16 years of age, other than one who is the holder of a valid bow and arrow hunting license, or the holder of an apprentice bow and arrow license under the personal supervision of the holder of a regular resident's or nonresident's bow and arrow license, who shall shoot any pointed or metal tipped arrow, including such as is designed solely for target use, except in the presence, and under the personal supervision, of an instructor or an adult is guilty of juvenile delinquency.

10. This act shall take effect immediately.

Approved August 10, 2015.