

CHAPTER 330

AN ACT concerning hunting with a firearm and amending R.S.23:4-44, R.S.23:4-12, R.S.23:4-13, and R.S.23:4-24.

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

1. R.S.23:4-44 is amended to read as follows:

Weapons authorized for hunting deer; kinds; caliber; size of shot.

23:4-44. A person engaged in hunting for wild deer shall not use a firearm except as may be prescribed by the State Fish and Game Code while engaged in hunting for deer during the open season.

It shall be unlawful, unless otherwise prescribed by the State Fish and Game Code, for any person to possess or have under the person's control any long gun at any time while hunting deer with bow and arrow. A person shall not use or possess or have under the person's control while hunting any poison arrow or an arrow with explosive tips.

For purposes of this section "long gun" means any rifle, shotgun, machine gun, automatic or semi-automatic rifle, or any gun, device or instrument in the nature of a weapon from which may be fired or ejected any solid projectable ball, slug, pellet, missile or bullet, or any gas, vapor or other noxious thing, by means of a cartridge or shell or by the action of an explosive or the igniting of flammable or explosive substances. It shall also include, without limitation, any firearm which is in the nature of an air gun, spring gun or pistol or other weapon of a similar nature in which the propelling force is a spring, elastic band, carbon dioxide, compressed or other gas or vapor, air or compressed air, or is ignited by compressed air, and ejecting a bullet or missile smaller than three-eighths of an inch in diameter, with sufficient force to injure a person.

2. R.S.23:4-12 is amended to read as follows:

Hunting certain game, except in manner provided by Code or with gun or bow and arrow, unlawful; penalty.

23:4-12. A person, shall not kill, destroy or injure, pursue with intent to kill or injure or in any manner attempt to take or injure, any anatidae commonly known as swans, geese, brant and river and sea ducks; rallidae, commonly known as rails, gallinules, coots and mud hens; limicolae, commonly known as shore birds, surf snipe or bay snipe, among them being yellowlegs plovers, willets, sandpipers, dowitchers or robin snipe, brown backs, curlews, turnstones or calico backs, godwits or marlin, tittlers and woodcocks; gallinae, commonly known as wild turkey, grouse, prairie chickens, pheasants, partridge and quails; or any hare commonly known as rabbit; gray, black or fox squirrels; or any other game bird or game animal, except in the manner prescribed by the provisions of the State Fish and Game Code, or, in the absence of such provision in said code, except in the manner usually known as hunting with a gun, the gun being not larger than ten gauge and held at arm's length and fired from the shoulder without rest, or by the use of bow and arrow.

It shall be unlawful for any person while hunting any wild bird or animal to have both a long gun and a bow and arrow in the person's possession or under the person's control in the woods or fields or on the water.

A person who violates the provisions of this section shall be subject to a penalty of \$100 for each offense.

For purposes of this section "long gun" means any rifle, shotgun, machine gun, automatic or semi-automatic rifle, or any gun, device or instrument in the nature of a weapon from which

may be fired or ejected any solid projectable ball, slug, pellet, missile or bullet, or any gas, vapor or other noxious thing, by means of a cartridge or shell or by the action of an explosive or the igniting of flammable or explosive substances. It shall also include, without limitation, any firearm which is in the nature of an air gun, spring gun or pistol or other weapon of a similar nature in which the propelling force is a spring, elastic band, carbon dioxide, compressed or other gas or vapor, air or compressed air, or is ignited by compressed air, and ejecting a bullet or missile smaller than three-eighths of an inch in diameter, with sufficient force to injure a person.

3. R.S.23:4-13 is amended to read as follows:

Regulations concerning guns.

23:4-13. A person shall not use in hunting any fowl or animals of any kind any firearm except as permitted by the provisions of the State Fish and Game Code, or, in the absence of such provision in said code, except a shotgun being not larger than ten gauge, and capable of holding not more than two cartridges at one time, or that may be fired more than twice without reloading, or use a silencer on any firearm when hunting for game or fowl, under a penalty of \$100 for each offense.

The division in its discretion may issue permits for the use of a rifle for shooting woodchucks only. A person shall not use any missile larger than as permitted by the provisions of the State Fish and Game Code, or, in the absence of such provision in said code, larger than number four shot in possession in the woods or fields at any time other than during the open season for killing deer, under a penalty of \$100 for each offense.

4. R.S.23:4-24 is amended to read as follows:

Hunting, certain, prohibited on Sundays; penalty; exemptions.

23:4-24. a. A person shall not hunt with a hound or with firearms or weapons of any kind, or carry a long gun in the woods or fields or on the waters on Sunday, under a penalty of \$50 for each offense; except that this section shall not apply to:

(1) any person hunting raccoon between midnight on Saturday and sunrise on Sunday during the season prescribed in R.S.23:4-1;

(2) a person possessing a valid and proper rifle permit licensed to trap fur-bearing animals pursuant to the provisions of R.S.23:3-1 using a .22 caliber rifle and .22 caliber short rimfire cartridges to humanely dispatch legally trapped animals; or

(3) a person using a bow and arrow to hunt deer during any bow and arrow hunting season for deer prescribed by the State Fish and Game Code, provided the person possesses a valid bow and arrow license, or a valid "All Around Sportsman License" if applicable, issued by the division, abides by all applicable provisions of the code, and is hunting on a State wildlife management area or on private property.

b. This section shall not prevent farm land owners, lessees actually occupying or farming the land, members of their immediate families, or their farm employees from hunting and destroying at any time and in any manner crows, woodchuck, fox and vermin on that land.

c. For purposes of this section "long gun" means any rifle, shotgun, machine gun, automatic or semi-automatic rifle, or any gun, device or instrument in the nature of a weapon from which may be fired or ejected any solid projectable ball, slug, pellet, missile or bullet, or any gas, vapor or other noxious thing, by means of a cartridge or shell or by the action of an explosive or the igniting of flammable or explosive substances. It shall also include, without limitation, any firearm which is in the nature of an air gun, spring gun or pistol or other weapon

of a similar nature in which the propelling force is a spring, elastic band, carbon dioxide, compressed or other gas or vapor, air or compressed air, or is ignited by compressed air, and ejecting a bullet or missile smaller than three-eighths of an inch in diameter, with sufficient force to injure a person.

5. This act shall take effect immediately.

Approved January 16, 2024.