

**SENATE, No. 1176**

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**STATE OF NEW JERSEY**

**219th LEGISLATURE**

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INTRODUCED FEBRUARY 3, 2020

**Sponsored by:**

**Senator NILSA CRUZ-PEREZ**

**District 5 (Camden and Gloucester)**

**Senator VIN GOPAL**

**District 11 (Monmouth)**

**Co-Sponsored by:**

**Senators Weinberg and Corrado**

**SYNOPSIS**

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

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 7/14/2020)**

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

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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  
11      are encouraged to take wildlife and are rewarded by the receipt of a  
12      prize or any kind of inducement or reward.

13      "Covered wildlife" means all animal life existing in a wild state,  
14      or any part, product, egg, or offspring, or the dead body or parts,  
15      thereof, except for fish, shellfish, mollusks, or crustaceans.

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  
19      patterns 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,  
25      or collect, wildlife.

26  
27      2. a. It shall be unlawful to harass or take covered wildlife at a  
28      competitive event. It shall be unlawful for any person to organize,  
29      sponsor, promote, conduct, or participate in a competitive event at  
30      which the participants harass or take covered wildlife.

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

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

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

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

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

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

5  
6 3. This act shall take effect immediately.  
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9 STATEMENT  
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11 This bill prohibits the harassing or taking of certain wildlife  
12 (defined as "covered wildlife" in the bill) at a competitive event,  
13 and any person from organizing, sponsoring, promoting,  
14 conducting, or participating in a competitive event at which the  
15 participants harass or take covered wildlife. "Covered wildlife" is  
16 defined in the bill as all animal life existing in a wild state, or any  
17 part, product, egg, or offspring, or the dead body or parts, thereof,  
18 except for fish, shellfish, mollusks, or crustaceans.

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

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

25 2) all privileges to take or possess wildlife.

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

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