

SENATE, No. 1541

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Senator MICHAEL J. DOHERTY

District 23 (Hunterdon, Somerset and Warren)

SYNOPSIS

Provides discounted hunting and trapping license, permit, and stamp fees for senior citizens.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning hunting and trapping license, permit, and stamp
2 fees for senior citizens and amending various parts of the
3 statutory law.

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

7
8 1. R.S.23:3-4 is amended to read as follows:

9 23:3-4. The licenses issued under this article shall be as follows:

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

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

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

36 (2) (a) The resident's bow and arrow license shall authorize its
37 holder to hunt with bow and arrow only, and a fee of \$30.50 and an
38 issuance fee of \$1.00 shall be charged therefor, except that a person
39 above the age of 65 years shall be charged a fee of \$15.50 and an
40 issuance fee of \$1.00.

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

1 of \$1.00. The resident's apprentice bow and arrow license may be
2 issued to a person only twice during the lifetime of the person.

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

7 (4) The resident's fishing license shall authorize its holder to
8 fish only, and a fee of \$21.50 and an issuance fee of \$1.00 shall be
9 charged therefor, except (a) in any case where the applicant is
10 above 70 years of age and is otherwise qualified, no license shall be
11 required, (b) a person above 65 years and under 70 years of age
12 shall be charged a fee of \$11.50 and an issuance fee of \$1.00, and
13 (c) as otherwise provided in paragraph (5) of this subsection,
14 paragraph (2) of subsection c. of this section, or paragraph (2) of
15 subsection d. of section 11 of P.L.1982, c.180 (C.23:3-1.1).

16 (5) The resident's fishing buddy license shall authorize its
17 holder to fish only, and can only be obtained through application at
18 the same time with: (a) another resident of this State who applies
19 for a resident's fishing license, is above 16 years of age and below
20 65 years of age, and has not bought a resident's fishing license after
21 2010, or (b) a nonresident who applies for a nonresident's annual
22 fishing license, is above 16 years of age, and has not bought a
23 nonresident's annual fishing license after 2010. The fee for a
24 resident's fishing buddy license and for a resident's fishing license
25 issued pursuant to this paragraph shall each be \$10.75 and an
26 issuance fee of \$1.00. The fee for a nonresident's annual fishing
27 license issued pursuant to this paragraph shall be \$16.50 and an
28 issuance fee of \$1.00.

29 (6) Any resident of this State who is totally blind, upon
30 application to the division, shall be entitled to a resident's fishing
31 license without fee or charge.

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

44 A nonresident's apprentice firearm hunting license shall
45 authorize its holder to hunt only with hounds and firearms and only
46 when accompanied by a holder, above 21 years of age, of a regular
47 resident's or nonresident's firearm hunting license. A nonresident's
48 apprentice bow and arrow license shall authorize its holder to hunt

1 with bow and arrow only and only when accompanied by a holder,
2 above 21 years of age, of a regular resident's or nonresident's bow
3 and arrow license. The nonresident's apprentice firearm hunting
4 license and the nonresident's apprentice bow and arrow license may
5 each be issued to a person only twice during the lifetime of the
6 person.

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

11 (2) The fee for the nonresident's trapping license shall be
12 \$199.50 and an issuance fee of \$1.00.

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

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

22 The nonresident's annual fishing buddy license can only be
23 obtained through application at the same time with: a resident of
24 this State who applies for a resident's fishing license, is above 16
25 years of age and below 65 years of age, and has not bought a
26 resident's fishing license after 2010; or a nonresident who applies
27 for a nonresident's annual fishing license, is above 16 years of age,
28 and has not bought a nonresident's annual fishing license after 2010.

29 (1) The fee for the nonresident's annual fishing license shall be
30 \$33.00 and an issuance fee of \$1.00, except as otherwise provided
31 pursuant to paragraph (2) of this subsection, paragraph (5) of
32 subsection a. of this section, or paragraph (2) of subsection d. of
33 section 11 of P.L.1982, c.180 (C.23:3-1.1).

34 (2) The fee for a nonresident's annual fishing buddy license
35 shall be \$16.50 and an issuance fee of \$1.00. The fee for a
36 resident's fishing license obtained through application at the same
37 time with an application for a nonresident's annual fishing buddy
38 license in accordance with this subsection shall be \$10.75 and an
39 issuance fee of \$1.00, and the fee for a nonresident's annual fishing
40 license obtained through application at the same time with an
41 application for a nonresident's annual fishing buddy license in
42 accordance with this subsection shall be \$16.50 and an issuance fee
43 of \$1.00.

44 (3) The fee for the nonresident's two-day fishing license shall be
45 \$8.00 and an issuance fee of \$1.00.

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

1 d. Every license issued hereunder shall be void after December
2 31 next succeeding its issuance, except the one-day hunting license,
3 which shall expire on the date of issuance; the nonresident's seven-
4 day fishing license, which is valid only for seven consecutive days
5 after date of issuance; the nonresident's two-day fishing license,
6 which shall expire on the day after the date of issuance; and the
7 nonresident's two-day small game firearm hunting license, which
8 shall expire on the day after the date of issuance.

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

12 e. The fees for licenses set forth in this section may be adjusted
13 by the Fish and Game Council pursuant to section 12 of
14 P.L.1982, c.180 (C.23:3-1a).
15 (cf: P.L.2017, c.131, s.63)
16

17 2. Section 1 of P.L.1959, c.37 (C.23:3-56.1) is amended to read
18 as follows:

19 1. a. When the Fish and Game Council has established a
20 season for deer of either sex and has fixed a certain number of
21 permits to be issued for that harvest, the division is authorized to
22 charge a fee of \$26.00, or as adjusted by the Fish and Game Council
23 pursuant to section 12 of P.L.1982, c.180 (C.23:3-1a), except that a
24 person under 16 years of age or above 65 years of age shall be
25 charged a fee of \$10.00, for each permit so issued, which fee shall
26 be in addition to any other fees authorized by law.

27 b. (1) No such fee charged pursuant to subsection a. of this
28 section shall be required of a qualified farmer or the spouse or
29 children of that farmer who reside in the farmer's household,
30 provided that the person or persons are otherwise authorized to
31 participate in the limited harvest.

32 The exemption provided under this subsection:

33 (a) shall not apply to a person residing on the farm or in a tenant
34 house thereon who is not the spouse or a child of the qualified
35 farmer, nor to an employee of the qualified farmer;

36 (b) shall be limited to one permit each for the qualified farmer
37 who owns or leases a farm on which the farmer resides as described
38 in subparagraph (a) of paragraph (3) of this subsection, and the
39 spouse and children of that farmer; and

40 (c) shall be limited to one permit each for the qualified farmer
41 or farmers who owns or leases a farm or farms on which that farmer
42 or farmers does not reside as described in subparagraph (b) of
43 paragraph (3) of this subsection, and their spouses and children, but
44 in no case shall more than five permits in total be issued for such
45 property pursuant to this subparagraph.

46 (2) An application for a permit issued to a qualified farmer or
47 the spouse or a child of that farmer pursuant to this subsection shall
48 be made on a form supplied by the division and shall include, in the

1 case of leased land, a copy of all leases authorizing the agricultural
2 and hunting uses of the land.

3 (3) For purposes of this subsection, "qualified farmer" means a
4 person who:

5 (a) owns or leases a farm on which that person resides that is
6 valued, assessed and taxed as land actively devoted to agricultural
7 or horticultural use pursuant to the "Farmland Assessment Act of
8 1964," P.L.1964, c.48 (C.54:4-23.1 et seq.); or

9 (b) owns or leases a farm on which that person does not reside,
10 provided that: (i) the person actively farms at least 30 tilled, non-
11 woodland acres, which may be noncontiguous; and (ii) the farm, or
12 each parcel in the case of noncontiguous parcels, is valued, assessed
13 and taxed as land actively devoted to agricultural or horticultural
14 use pursuant to the "Farmland Assessment Act of 1964,"
15 P.L.1964, c.48 (C.54:4-23.1 et seq.).

16 c. The division may adopt, pursuant to the "Administrative
17 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), such rules
18 and regulations as may be necessary to implement the provisions of
19 this section.

20 (cf: P.L.1999, c.282, s.17)

21

22 3. Section 3 of P.L.1975, c.117 (C.23:3-61.3) is amended to
23 read as follows:

24 3. The fee for this stamp shall be \$40.00, or as adjusted by the
25 Fish and Game Council pursuant to section 12 of
26 P.L.1982, c.180 (C.23:3-1a), except that a person above 65 years of
27 age shall be charged a fee of \$20.00. The amounts remitted to the
28 State Treasury for special pheasant and quail stamps shall be
29 deposited to the credit of the "hunters' and anglers' license fund."

30 (cf: P.L.1999, c.282, s.21)

31

32 4. Section 11 of P.L.1982, c.180 (C.23:3-1.1) is amended to
33 read as follows:

34 11. a. The division shall issue a special license combining the
35 resident's firearm hunting license, the resident's bow and arrow
36 license and the resident's fishing license as provided under
37 R.S.23:3-4 into one license to be designated as the "All Around
38 Sportsman License."

39 b. The "All Around Sportsman License" shall authorize its
40 holder to hunt with a shotgun or bow and arrow and to angle or
41 attempt to take fish in the fresh waters of this State at the time, and
42 in the manner, provided by law and the State Fish and Game Code,
43 except that this license shall not authorize its holder to take trout
44 from the fresh waters of the State.

45 c. A resident of this State above the age of 16 years may
46 procure the "All Around Sportsman License" from the division at
47 Trenton or from its agents as designated by the division. It shall not
48 be valid unless it contains the signature of the owner written in ink.

1 Each license issued under this section shall expire on December 31
2 next following its issuance.

3 d. (1) The division shall determine the form of the "All
4 Around Sportsman License." The fee for this license shall be
5 \$71.25 and an issuance fee of \$1.00, or as adjusted by the Fish and
6 Game Council pursuant to section 12 of P.L.1982, c.180 (C.23:3-
7 1a).

8 (2) The fee for an "All Around Sportsman License" shall be
9 reduced by \$10 when application therefor is made at the same time
10 with: (1) another resident of this State who applies for a resident's
11 fishing license, is above 16 years of age and below 65 years of age,
12 and has not bought an "All Around Sportsman License" or resident's
13 fishing license after 2010, or (2) a nonresident who applies for a
14 nonresident's annual fishing license, is above 16 years of age, and
15 has not bought a nonresident's annual fishing license after 2010.
16 The fee for a resident's fishing license bought in accordance with
17 the requirements of this paragraph shall be \$10.75 and an issuance
18 fee of \$1.00, and the fee for a nonresident's annual fishing license
19 bought in accordance with the requirements of this paragraph shall
20 be \$16.50 and an issuance fee of \$1.00.

21 e. The amounts remitted to the State Treasury from the
22 collection of any fee pursuant to this section shall be deposited to
23 the credit of the "hunters' and anglers' license fund."
24 (cf: P.L.2015, c.99, s.1)

25

26 5. Section 7 of P.L.1986, c.198 (C.23:3-27.1) is amended to
27 read as follows:

28 7. Whenever an open season is prescribed for wild turkey by
29 the State Fish and Game Code, the division is authorized to charge a
30 fee of \$19.00, or as adjusted by the Fish and Game Council
31 pursuant to section 12 of P.L.1982, c.180 (C.23:3-1a), except that a
32 person under 16 years of age or above 65 years of age shall be
33 charged a fee of \$10.00, for each permit issued. This permit shall
34 be void at the close of the prescribed open season. The amounts
35 remitted to the State Treasury for wild turkey permits shall be
36 deposited to the credit of the "hunters' and anglers' license fund."
37 (cf: P.L.1999, c.282, s.15)

38

39 6. Section 8 of P.L.1986, c.198 (C.23:3-4.11) is amended to
40 read as follows:

41 8. All persons in possession of a muzzleloader rifle or other
42 rifle while hunting or trapping shall have in their possession, in
43 addition to the appropriate and valid firearm hunting license or
44 trapping license, an appropriate and valid rifle permit. The division
45 is authorized to charge a fee of \$17.00 for each permit issued,
46 except that a person under 16 years of age or above 65 years of age
47 shall be charged a fee of \$8.00. A rifle permit issued hereunder
48 shall be valid for a period not to exceed two years. The amount

1 remitted to the State Treasury for rifle permits shall be deposited to
2 the credit of the "hunters' and anglers' license fund."

3 The fee for a permit issued pursuant to this section may be
4 adjusted by the Fish and Game Council pursuant to section 12 of
5 P.L.1982, c.180 (C.23:3-1a).
6 (cf: P.L.1999, c.282, s.13)

7

8 7. This act shall take effect immediately.

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STATEMENT

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13 Under current law, persons age 65 and older receive discounts on
14 firearm licenses and bow and arrow licenses, but not on trapping
15 licenses, the "All-Around Sportsman License," or individual
16 hunting permits and stamps. This bill would provide discounts to
17 persons 65 years of age and older on trapping licenses, the "All-
18 Around Sportsman License," the deer, turkey, and rifle permits, and
19 the pheasant and quail stamps, at rates which are consistent with the
20 discounts already authorized for other closely related outdoor
21 activities.