



# Senate

General Assembly

**File No. 53**

January Session, 2005

Substitute Senate Bill No. 381

*Senate, March 24, 2005*

The Committee on Environment reported through SEN. STILLMAN of the 20th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

**AN ACT CONCERNING LANDOWNER HUNTING PERMITS AND LIMITED LIABILITY COMPANIES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) Notwithstanding the  
2 provisions of section 26-27 of the general statutes, the Commissioner of  
3 Environmental Protection shall issue, without fee, a private land deer  
4 permit for use only on land owned by a limited liability company.  
5 Such permit may only be issued to one member of the limited liability  
6 company and to such member's immediate family. No such member or  
7 immediate family member shall be issued more than one such permit  
8 per season. Subject to the provisions of section 26-86a of the general  
9 statutes, such permit shall allow the use of a rifle, shotgun,  
10 muzzleloader or bow and arrow on the land from November first until  
11 December thirty-first, inclusive, of each year. For purposes of this  
12 section, "limited liability company" means a company that is treated as  
13 a limited liability company for federal income tax purposes and  
14 "immediate family" means a spouse, child, grandchild, sibling or

15 parent.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section

**ENV**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 06 \$	FY 07 \$
Department of Environmental Protection	Conservation Fund - Revenue Loss	Minimal	Minimal

Note: Conservati=Conservation Fund

**Municipal Impact:** None

**Explanation**

The revenue loss to the Department of Environmental Protection’s Conservation Fund due to the issuance of free private land deer permits for use on land owned by a limited liability company is estimated to be less than \$10,000 a year. It is anticipated that a minimal number of people will be exempted from the \$14 dollar fee.

**OLR Bill Analysis**

sSB 381

***AN ACT CONCERNING LANDOWNER HUNTING PERMITS AND LIMITED LIABILITY COMPANIES*****SUMMARY:**

This bill requires the environmental protection commissioner to issue one free private land deer permit per hunting season for use only on land owned by a limited liability company. He may issue the permit only to one member of the limited liability company, and to that member's spouse, child, grandchild, sibling or parent. The permit allows the use of a rifle, shotgun, muzzleloader, or bow and arrow on the property from November 1 through December 31, subject to existing hunting laws. Under the bill, a limited liability company is a company treated as such for federal income tax purposes.

EFFECTIVE DATE: Upon passage

**BACKGROUND*****Related Law***

By law, the commissioner must issue a free private land deer permit for use only on a farm, provided the farm is an S corporation or a limited liability corporation, and she issues the permit to a corporate member or the immediate family of the corporate member, or to a partner or immediate family of the partner of the limited liability corporation. This law defines an S corporation as an S corporation for federal income tax purposes, and a limited liability corporation is a company treated as a limited liability company for federal income tax purposes (CGS § 26-29c).

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute

Yea 23      Nay 0