



# Senate

General Assembly

**File No. 262**

February Session, 2012

Substitute Senate Bill No. 83

*Senate, April 4, 2012*

The Committee on Environment reported through SEN. MEYER of the 12th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

***AN ACT AUTHORIZING BOW AND ARROW HUNTING ON SUNDAY UNDER CERTAIN CIRCUMSTANCES.***

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

1 Section 1. Section 26-73 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2012*):

3 Sunday shall be a closed season except for hunting deer with bow  
4 and arrow and for the purpose of trapping under the provisions of this  
5 chapter. The possession in the open air on Sunday of any implement  
6 for hunting, except for bow and arrow, shall be prima facie evidence of  
7 hunting in violation of the provisions of this section. No provision of  
8 this section shall be construed so as to affect any provision of section  
9 26-31, 26-48, 26-52 or 27-35. [or apply to the use of bow and arrow for  
10 purposes other than hunting.] Artificially propagated birds designated  
11 by the commissioner may be shot on Sundays on licensed private  
12 shooting preserves subject to such regulations of the commissioner as  
13 may apply to such private shooting preserves, provided permission so  
14 to shoot has been obtained from the town or towns within which such

15 licensed private shooting preserves are located. Any person who hunts  
16 deer on Sunday with bow and arrow pursuant to this section shall  
17 conduct such hunting in accordance with and pursuant to the wildlife  
18 management principles and practices established by the Commissioner  
19 of Energy and Environmental Protection, have the written permission  
20 of the private property owner where such hunting is conducted and  
21 carry such written permission upon his or her person during the  
22 hunting. No person shall hunt with bow and arrow on Sunday  
23 pursuant to this section within forty yards of a blazed hiking trail.

24 Sec. 2. Subsection (a) of section 26-86a of the general statutes is  
25 repealed and the following is substituted in lieu thereof (*Effective*  
26 *October 1, 2012*):

27 (a) The commissioner shall establish by regulation adopted in  
28 accordance with the provisions of chapter 54 standards for deer  
29 management, and methods, regulated areas, bag limits, seasons and  
30 permit eligibility for hunting deer with bow and arrow, muzzleloader  
31 and shotgun, except that no such hunting shall be permitted on  
32 Sunday by any means other than with bow and arrow pursuant to  
33 section 26-73, as amended by this act. No person shall hunt, pursue,  
34 wound or kill deer with a firearm without first obtaining a deer permit  
35 from the commissioner in addition to the license required by section  
36 26-27. Application for such permit shall be made on forms furnished  
37 by the commissioner and containing such information as he may  
38 require. Such permit shall be of a design prescribed by the  
39 commissioner, shall contain such information and conditions as the  
40 commissioner may require, and may be revoked for violation of any  
41 provision of this chapter or regulations adopted pursuant thereto. As  
42 used in this section, "muzzleloader" means a rifle or shotgun of at least  
43 forty-five caliber, incapable of firing a self-contained cartridge, which  
44 uses powder, a projectile, including, but not limited to, a standard  
45 round ball, mini-balls, maxi-balls and Sabot bullets, and wadding  
46 loaded separately at the muzzle end, and "rifle" means a long gun the  
47 projectile of which is six millimeters or larger in diameter. The fee for a  
48 firearms permit shall be nineteen dollars for residents of the state and

49 sixty-eight dollars for nonresidents, except that any nonresident who is  
50 an active full-time member of the armed forces, as defined in section  
51 27-103, may purchase a firearms permit for the same fee as is charged a  
52 resident of the state. The commissioner shall issue, without fee, a  
53 private land deer permit to the owner of ten or more acres of private  
54 land and the husband or wife, parent, grandparent, sibling and any  
55 lineal descendant of such owner, provided no such owner, husband or  
56 wife, parent, grandparent, sibling or lineal descendant shall be issued  
57 more than one such permit per season. Such permit shall allow the use  
58 of a rifle, shotgun, muzzleloader or bow and arrow on such land from  
59 November first to December thirty-first, inclusive. Deer may be so  
60 hunted at such times and in such areas of such state-owned land as are  
61 designated by the Commissioner of Energy and Environmental  
62 Protection and on privately owned land with the signed consent of the  
63 landowner, on forms furnished by the department, and such signed  
64 consent shall be carried by any person when so hunting on private  
65 land. The owner of ten acres or more of private land may allow the use  
66 of a rifle to hunt deer on such land during the shotgun season. The  
67 commissioner shall determine, by regulation, the number of consent  
68 forms issued for any regulated area established by said commissioner.  
69 The commissioner shall provide for a fair and equitable random  
70 method for the selection of successful applicants who may obtain  
71 shotgun and muzzleloader permits for hunting deer on state lands.  
72 Any person whose name appears on more than one application for a  
73 shotgun permit or more than one application for a muzzleloader  
74 permit shall be disqualified from the selection process for such permit.  
75 No person shall hunt, pursue, wound or kill deer with a bow and  
76 arrow without first obtaining a bow and arrow permit pursuant to  
77 section 26-86c. "Bow and arrow", as used in this section and in section  
78 26-86c, means a bow with a draw weight of not less than forty pounds.  
79 The arrowhead shall have two or more blades and may not be less  
80 than seven-eighths of an inch at the widest point. No person shall  
81 carry firearms of any kind while hunting with a bow and arrow under  
82 this section and section 26-86c.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2012</i>	26-73
Sec. 2	<i>October 1, 2012</i>	26-86a(a)

**ENV**      *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

## **OFA Fiscal Note**

### **State Impact:**

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 13 \$</b>	<b>FY 14 \$</b>
Department of Energy and Environmental Protection; Judicial Dept.	GF - Revenue Gain	Potential Minimal	Potential Minimal
Correction, Dept.	GF - Cost	Potential Minimal	Potential Minimal

Note: GF=General Fund

**Municipal Impact:** None

### **Explanation**

The bill, which allows Sunday deer hunting with a bow and arrow under certain conditions, may result in a minimal revenue gain. In FY 11, \$655,119 in revenue was collected from the sale of 12,719 deer and small game archery permits.

The bill could also result in a potential minimal revenue gain to the Judicial Department as it allows for a fine of \$10 - \$200 for each violation. However, it is unclear at this time how many, if any, violations will occur each year.

To the extent that offenders are prosecuted criminally and subsequently convicted or plead guilty, the state could incur a cost associated with incarceration and/or probation supervision in the community. On average, it costs the state \$3,736 to supervise an offender on probation in the community as compared to \$44,165 to incarcerate the offender.

### **The Out Years**

The annualized ongoing fiscal impact identified above would

continue into the future subject to fee changes, the number of permits sold, and the number of violations.

**OLR Bill Analysis****sSB 83*****AN ACT AUTHORIZING BOW AND ARROW HUNTING ON SUNDAY UNDER CERTAIN CIRCUMSTANCES.*****SUMMARY:**

This bill permits Sunday deer hunting with a bow and arrow. The hunting (1) must be in accordance with the Department of Energy and Environmental Protection's (DEEP) wildlife management principles and practices and (2) cannot take place within 40 yards of a blazed (clearly marked) hiking trail. When the hunting is on private property, the hunter must have the property owner's written consent and carry it during the hunting.

A violation of the Sunday hunting rules is punishable by a fine of between \$10 and \$200, imprisonment of up to 60 days, or both (CGS § 26-81).

By law, no one is permitted to hunt deer with a bow and arrow without first obtaining a DEEP bow and arrow permit.

EFFECTIVE DATE: October 1, 2012

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute

Yea 20 Nay 9 (03/21/2012)