

---

---

## OLR Bill Analysis

### sSB 336

#### ***AN ACT CONCERNING NEGLIGENT HUNTING AND TRESPASSING FOR PURPOSES OF HUNTING, TRAPPING OR FISHING.***

#### **SUMMARY:**

This bill increases the penalty for 3<sup>rd</sup> degree criminal trespass involving unauthorized entry onto a property to hunt, trap, or fish. Under current law, this violation is a class C misdemeanor punishable by imprisonment for up to three months, a fine of up to \$500, or both. The bill (1) makes it a class B misdemeanor punishable by up to six months imprisonment and (2) fixes the fine at \$1,000 (see BACKGROUND).

The bill also increases, from a minimum of \$200 to a fixed \$1,000, the fine for 3<sup>rd</sup> degree negligent hunting, which, under existing law, is a class B misdemeanor carrying a prison term of up to six months. (Under existing law, unchanged by the bill, 2<sup>nd</sup> degree negligent hunting is a class A misdemeanor that carries a minimum \$400 fine.)

The bill affects the penalties for persistent negligent hunters who must be fined an amount that is not less than twice the minimum fine provided for the violation and is subject to penalties provided for the next more serious degree of negligent hunting (CGS § 53a-217e (e) 2(f)). By law, a person convicted of negligent hunting within five years of a previous conviction is considered a persistent negligent hunter.

EFFECTIVE DATE: October 1, 2012

#### **BACKGROUND**

##### ***Third-Degree Criminal Trespass***

Under existing law, unchanged by the bill, unauthorized entry onto land posted as prescribed by law or fenced or otherwise enclosed in a manner designed to exclude intruders is also classified as 3<sup>rd</sup> degree

criminal trespass, punishable as a class C misdemeanor.

***Third-Degree Negligent Hunting***

A person commits this crime if, while hunting, he or she:

1. fires a loaded firearm at a time of day when hunting is prohibited,
2. hunts on Sundays or outside of hunting season,
3. discharges a firearm from a vehicle,
4. hunts with a suspended license, or
5. discharges a firearm into a building occupied by people or domestic animals or used to store flammable or combustible material.

**COMMITTEE ACTION**

Public Safety and Security Committee

Joint Favorable Substitute

Yea 23 Nay 0 (03/15/2012)