



General Assembly

Amendment

February Session, 2012

LCO No. 3572

SB0008303572HDO

Offered by:

REP. URBAN, 43rd Dist.

REP. MEGNA, 97th Dist.

REP. HENNESSY, 127th Dist.

To: Subst. Senate Bill No. 83

File No. 262

Cal. No.

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

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 26-72 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2012*):

5 (a) The commissioner may, after notice and public hearing
6 conducted in the manner prescribed by section 26-67, issue regulations
7 governing and prescribing the taking of all species of fur-bearing
8 animals by use of traps within the state. Such regulations may (1)
9 establish the open and closed seasons, (2) establish the legal hours, (3)
10 prescribe the legal methods that may be used, including size, type and
11 kind of traps and the type and kind of bait and lures, (4) designate the
12 places where traps may be placed and set and the conditions under
13 which the placing and setting of traps will be legal, (5) establish the

14 daily bag limit and the season bag limit, and (6) assess a reasonable fee,
15 or develop a comparable equitable plan, for season trapping rights on
16 state-owned property. Assignment of such rights for specific areas may
17 be determined by drawing or by the order in which requests therefor
18 are recorded as received in the office of the commissioner when there
19 is a set fee for such areas, or the method of high bid may be used.

20 (b) No person shall set, place or attend any trap upon the land of
21 another without having in such person's possession the written
22 permission of the owner or lessee of such land, or such owner's or
23 lessee's agent, and no person shall set, place or attend any trap not
24 having the name of the person using such trap legibly stamped
25 thereon or attached thereto, provided the owner or legal occupant of
26 such land or such person as such owner or legal occupant designates
27 may set, place or attend any legal steel trap in any place within a
28 radius of one hundred feet of any permanent building located on such
29 land. No person who sets, places or attends any trap shall permit more
30 than twenty-four hours to elapse between visits to such trap, except
31 that if such twenty-four-hour period expires before sunset, the person
32 who set such trap shall have until sunset to visit the trap. Any person
33 who sets, places or attends any trap shall report each incident of the
34 trapping of a nontarget animal to the Department of Energy and
35 Environmental Protection within twenty-four hours. No person shall
36 place, set or attend any snare, net or similar device capable of taking or
37 injuring any animal. As used in this subsection, "nontarget" animal
38 means an animal of a species not intended to be taken.

39 (c) No person shall place any leghold trap on or within two hundred
40 fifty feet of the real property comprising a public or private elementary
41 or secondary school, licensed child day care center, as defined in
42 section 19a-77, that is identified as a child day care center by a sign
43 posted in a conspicuous place, municipal park, municipal playground,
44 public picnic area or public campground. As used in this subsection,
45 "leghold trap" means a device designed to close on the foot or leg of an
46 animal with sufficient force to hold the animal until the person tending
47 the trap returns, and includes, but is not limited to, a steel jawed

48 leghold style trap that is either padded or unpadded. Nothing in this
49 subsection shall prevent any person duly authorized by the
50 Department of Energy and Environmental Protection from setting a
51 leghold trap within two hundred fifty feet of such areas listed in this
52 subsection to control nuisance wildlife.

53 (d) The pelt of any fur-bearing animal legally taken may be
54 possessed, sold or transported at any time. Upon demand of any
55 officer having authority to serve criminal process or any representative
56 of the Department of Energy and Environmental Protection, any
57 person in possession of any such pelt shall furnish to such officer or
58 such representative satisfactory evidence that such pelt was legally
59 taken or acquired.

60 (e) No provision of this section shall be construed as prohibiting any
61 landowner or lessee of land used for agricultural purposes or any
62 citizen of the United States, or any person having on file in the court
63 having jurisdiction thereof a written declaration of such person's
64 intention to become a citizen of the United States, who is regularly
65 employed by such landowner or lessee, from pursuing, trapping and
66 killing at any time any fur-bearing animal, except deer, which is
67 injuring any property, or the owner of any farm or enclosure used for
68 breeding or raising any legally acquired fur-bearing animal who has a
69 game breeder's license issued by the commissioner or a fur breeder's
70 license issued by the Department of Agriculture, from taking or killing
71 any such animal legally in his or her possession at any time or having
72 in possession any pelt thereof.

73 (f) No person shall molest, injure or disturb any muskrat house or
74 den at any time.

75 (g) Any fur-bearing animal legally taken alive may be possessed by
76 the person taking the animal, provided the person shall notify the
77 commissioner in a writing signed by the person stating the species and
78 sex of such animal, the date and the name of the town where such
79 animal was taken and the specific address where such animal will be

80 kept. Any representative of the department may at any time inspect
81 such animal and the enclosure or other facilities used to hold such
82 animal and make inquiry concerning the diet and other care such
83 animal should have and if, in the opinion of the commissioner or such
84 representative, such animal is not being provided adequate or proper
85 facilities or care, such animal may be seized by such representative of
86 the department and be disposed of as determined by the
87 commissioner. Fur-bearing animals taken alive, as provided in this
88 section, shall not be sold or exchanged, provided the person who
89 legally possesses such animal may apply to the commissioner for a
90 game breeder's license or to the Department of Agriculture for a fur
91 breeder's license and when so licensed such person may breed such
92 animal and the progeny thereof, and such issue when three
93 generations removed from the wild may be sold or exchanged alive or
94 dead.

95 (h) Any trap illegally set and any snare, net or similar device found
96 placed or set in violation of the provisions of this section shall be
97 seized by any representative of the department and, if not claimed
98 within twenty-four hours, the commissioner may order such trap,
99 snare, net or other device destroyed, sold or retained for use by the
100 commissioner.

101 (i) Any person who violates any provision of this section, or any
102 regulation issued by the commissioner shall be fined not more than
103 two hundred dollars or be imprisoned not more than sixty days, or
104 both.

105 (j) Whenever any person is convicted, or forfeits any bond, or has
106 such person's case nolle upon the payment of any sum of money, or
107 receives a suspended sentence or judgment for a violation of any of the
108 provisions of this section or any regulation issued hereunder by the
109 commissioner, all traps used, set or placed in violation of any such
110 provisions or any such regulation may, by order of the trial court, be
111 forfeited to the state and may be retained for use by the department or
112 may be sold or destroyed at the discretion of the commissioner. The

113 proceeds from any such sale shall be paid to the State Treasurer and
114 the State Treasurer shall credit such proceeds to the General Fund."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>October 1, 2012</i>	26-72