



HUNTING DISTANCE FROM OCCUPIED BUILDINGS

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CONNECTICUT'S BAN ON HUNTING NEAR OCCUPIED BUILDINGS

Connecticut regulations generally prohibit a person from hunting with firearms, discharging firearms, or carrying loaded firearms within 500 feet of a building occupied by people or domestic animals or used to store flammable or combustible materials, unless the person has, and carries with him or her while hunting, written permission from the building's owner allowing hunting from closer distances. (The ban does not apply to landowners or their spouses or lineal descendants when hunting within 500 feet of buildings owned by them.) The regulations also ban discharging any hunting weapon toward a person, building, or domestic animal when they are within range (Conn. Agencies Reg., § [26-66-1\(d\) & \(e\)](#)).

ISSUES

When did Connecticut adopt its ban on hunting within 500 feet of an occupied building, and was there any public comment about it? What do New York and the other New England states require for hunting distance from an occupied building?

SUMMARY

Language about discharging hunting devices within certain distances from buildings entered Connecticut statute in 1955 (PA 535). The act authorized the State Board of Fisheries and Game to adopt hunting regulations that could, among other things, prohibit discharging firearms and other hunting devices within specified distances of buildings ([CGS § 26-66](#)).

The board adopted regulations on August 15, 1955 that prohibited hunting, discharging firearms, or carrying loaded firearms within 500 feet of a building (1) occupied by people or domestic animals or (2) used to store flammable or combustible material. They also prohibited discharging a firearm toward a person, building, or domestic animal when within range.

The hunting regulations were published in the Connecticut Law Journal on September 27, 1955. While they have been amended numerous times since 1955, they still contain the 500-foot requirement (see side box).

According to the legislative history of the 1955 act, there was no public comment about the hunting distance from buildings requirement. State agencies are the repository of records, including public comments, for proposed regulations from that era. The Legislative Library contacted the Department of Energy and Environmental Protection (DEEP) for historical records about the original regulations. Should DEEP provide any public comment related to the 1955 regulation, we will update this report.

New York and the other New England states each legislate hunting distance from occupied buildings, but in varying ways. In general, all but Vermont prohibit hunting within a specified distance from occupied buildings: Maine – 100 yards; Massachusetts – 500 feet; New Hampshire – 300 feet; New York – 500 feet (firearm), 250 feet (crossbow), or 150 feet (long bow); and Rhode Island – 500 feet. Vermont authorizes property owners to establish a 500-foot no hunting safety zone around occupied buildings.

SELECTED STATES

Maine

In Maine, it is generally unlawful to discharge a firearm or crossbow, or cause a projectile to pass, within 100 yards of a building or residential dwelling without permission from the owner, or in the owner's absence, an adult occupant (Me. Rev. Stat. Ann. tit. 12, § 11209). Under the law, "building" means any residential, commercial, retail, educational, religious, or farm structure designed to be occupied by people or domestic animals or used to shelter machines or harvested crops. "Projectile" includes a bullet, pellet, shot, shell, ball, bolt, or other object propelled or launched from a firearm or crossbow.

Massachusetts

Massachusetts law prohibits a person from possessing a loaded firearm or hunting by any means on another person's land within 500 feet of a dwelling in use, unless allowed by the dwelling's owner or occupant (Mass. Gen. Laws ch. 131, § 58).

New Hampshire

In New Hampshire, it is illegal to discharge a firearm or shoot with a bow and arrow or crossbow and bolt within 300 feet of a permanently occupied dwelling without permission from the (1) dwelling's owner or occupant or (2) owner of the land on which the person is situated (N.H. Rev. Stat. Ann. § 207:3-a).

New York

New York law generally prohibits anyone from discharging a firearm within 500 feet, a crossbow within 250 feet, or a long bow within 150 feet from an occupied or used dwelling house, farm building, or farm structure; school building; school playground; public structure; or occupied factory or church. The ban does not apply to an owner or lessee of a dwelling house, immediate family members, or employees or guests acting with the consent of the owner or lessee (N.Y. Env'tl. Conserv. Law § 11-0931).

Rhode Island

Rhode Island law prohibits anyone, while hunting or pursuing wild birds or animals, from discharging a firearm or other deadly weapon within 500 feet of any (1) dwelling house, residence, or other building occupied by human beings or (2) barn, stable, or other building used in connection with them, without the owner's or tenant's permission (R.I. Gen. Laws § 20-13-7).

Vermont

In Vermont, hunting on private property is generally allowed unless the property is properly posted to prohibit it. The law allows a property owner to establish a 500-foot safety zone around an occupied dwelling, residence, barn, stable, or other building by posting signs provided by the Vermont Fish & Wildlife Department. The signs must (1) contain the words "safety zone, shooting prohibited" and (2) be placed at each corner of the property and no more than 200 feet apart. A person cannot discharge a firearm or take a wild animal from within a safety zone without the owner's or occupant's advance permission (Vt. Stat. Ann. tit. 10, § 4710).

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