



# Senate

General Assembly

**File No. 565**

January Session, 2019

Substitute Senate Bill No. 586

*Senate, April 9, 2019*

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

## ***AN ACT CONCERNING THE CONTROL OF NUISANCE WILDLIFE.***

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

1 Section 1. Subsection (a) of section 26-47 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2019*):

4 (a) When it is shown to the satisfaction of the commissioner that  
5 wildlife is causing unreasonable damage to agricultural crops, [during  
6 the night and it is found by the commissioner that control of such  
7 damage by wildlife is impracticable during the daylight hours]  
8 livestock, poultry or bees, the commissioner may issue permits for the  
9 taking of such wildlife as the commissioner deems necessary to control  
10 such damage by such method and at such time of day as the  
11 commissioner determines, including the use of lights, during the  
12 period between sunset and sunrise, upon written application of the  
13 owner or lessee of record of the land on which such crops are grown or  
14 such livestock, poultry or bees are cared for, raised or fed. Such  
15 permits may be issued to any qualified person designated by such

16 landowner or lessee. The person to whom such permit is issued shall  
 17 be held responsible for complying with the conditions under which  
 18 such permit is issued which shall include, but not be limited to, the  
 19 taking of such wildlife on the land where such crops are grown or such  
 20 livestock, poultry or bees are cared for, raised or fed. The person to  
 21 whom such permit is issued may retain any wildlife taken pursuant to  
 22 such a permit. The provisions of this section shall not apply to deer.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2019	26-47(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.*

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**OFA Fiscal Note****State Impact:** None**Municipal Impact:** None**Explanation**

The bill expands the circumstances under which the Department of Energy and Environmental Protection (DEEP) may issue permits for the taking (i.e., killing) of nuisance wildlife. Currently, a landowner or lessee seeking this permit must apply in writing to DEEP.

While violation of the provisions of the bill is a class D misdemeanor, there is no anticipated fiscal impact as no fines have been collected under the current law, and no one is incarcerated or on probation for this offense. Additionally, there is no fiscal impact since there are no fees associated with the DEEP permit.

**The Out Years****State Impact:** None**Municipal Impact:** None

**OLR Bill Analysis****sSB 586*****AN ACT CONCERNING THE CONTROL OF NUISANCE WILDLIFE.*****SUMMARY**

This bill expands the circumstances under which the Department of Energy and Environmental Protection (DEEP) commissioner may issue permits for the taking (e.g., capturing, trapping, killing) of nuisance wildlife. As required under existing law, an affected landowner or lessee seeking such a permit must apply in writing to the commissioner.

Under current law, the commissioner may issue a permit for taking nuisance wildlife when it is shown to her satisfaction that wildlife is causing unreasonable damage to agricultural crops at night and control of the wildlife is not practicable during daylight hours. The bill instead allows her to issue such a permit when it is shown to her satisfaction that wildlife is causing unreasonable damage to agricultural crops, livestock, poultry, or bees, regardless of the time of day the damage occurs. Under the bill, the permit may allow the taking of such nuisance wildlife at any time of day or night as the commissioner deems necessary to control damage.

As under existing law, DEEP may issue a permit to any qualified person the landowner or lessee designates. That person is responsible for complying with the permit conditions. Under the bill, the permit must be limited to taking nuisance wildlife only on the land where the crops are grown or the livestock, poultry, or bees are cared for, raised, or fed. As under existing law, such a permit cannot authorize the taking of deer.

Additionally, the bill allows a permit holder to keep any wildlife taken pursuant to the permit.

By law, a person who violates the nuisance wildlife law or any permit condition is guilty of a class D misdemeanor, which is punishable by a fine of up to \$250, imprisonment of up to 30 days, or both. In addition, the commissioner must revoke any nuisance wildlife permits issued to the person or others with respect to the property. The permits must remain suspended for a period of time determined by the commissioner (CGS § 26-47(c)).

EFFECTIVE DATE: October 1, 2019

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute

Yea 17      Nay 11      (03/18/2019)