



General Assembly

February Session, 2020

Raised Bill No. 5455

LCO No. 2555



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

AN ACT CONCERNING REVISION OF CERTAIN HUNTING AND FISHING RELATED STATUTES.

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

1 Section 1. Section 26-86 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) Any deer, moose or black bear killed or seriously wounded as the
4 result of a collision with a motor vehicle may, after inspection of such
5 deer, moose or black bear by the local police authorities, state police or
6 conservation officer and after issuance of a copy of a wildlife kill
7 incident report, become the property of the operator of such motor
8 vehicle or any other person if such operator declines possession.

9 (b) Any deer, moose or black bear seriously wounded as a result of a
10 collision with a motor vehicle may, after inspection of such deer, moose
11 or black bear by the local police authorities, state police or conservation
12 officer, be euthanized by such authority or officer or by a veterinarian
13 licensed in this state.

14 Sec. 2. Section 26-86c of the general statutes is repealed and the

15 following is substituted in lieu thereof (*Effective from passage*):

16 No person may hunt deer or small game with a bow and arrow under
17 the provisions of this chapter without a valid permit issued by the
18 Commissioner of Energy and Environmental Protection pursuant to this
19 section or section 26-86a for persons hunting deer with bow and arrow
20 under private land deer permits issued free to qualifying landowners,
21 or their husbands or wives, parents, grandparents, lineal descendants or
22 siblings under that section. The fee for such bow and arrow permit to
23 hunt deer and small game shall be forty-one dollars for residents and
24 one hundred thirty-five dollars for nonresidents, or nineteen dollars for
25 any person twelve years of age or older but under sixteen years of age,
26 except that any nonresident who is an active full-time member of the
27 armed forces, as defined in section 27-103, may purchase a bow and
28 arrow permit to hunt deer and small game for the same fee as is charged
29 a resident of the state. Permits to hunt with a bow and arrow under the
30 provisions of this chapter shall be issued only to qualified applicants
31 therefor by the Commissioner of Energy and Environmental Protection,
32 in such form as said commissioner prescribes. Applications shall be
33 made on forms furnished by the commissioner containing such
34 information as he may require and all such application forms shall have
35 printed thereon: "I declare under the penalties of false statement that the
36 statements herein made by me are true and correct." Any person who
37 makes any material false statement on such application form shall be
38 guilty of false statement and shall be subject to the penalties provided
39 for false statement and said offense shall be deemed to have been
40 committed in the town in which the applicant resides. No such
41 application shall contain any material false statement. [On and after
42 January 1, 2002, permits to hunt with a bow and arrow under the
43 provisions of this chapter shall be issued only to qualified applicants
44 who have successfully completed the conservation education bow
45 hunting course as specified in section 26-31 or an equivalent course in
46 another state.] No person shall carry any firearm of any kind while
47 hunting with a bow and arrow pursuant to this section or section 26-
48 86a. For purposes of this section and section 26-86a, "bow and arrow"

49 means a bow with a draw weight of not less than forty pounds and an
50 arrowhead that has two or more blades and that is not less than seven-
51 eighths of an inch at its widest point.

52 Sec. 3. Section 26-31 of the general statutes is repealed and the
53 following is substituted in lieu thereof (*Effective October 1, 2020*):

54 (a) The Commissioner of Energy and Environmental Protection shall
55 formulate conservation courses of instruction in safe trapping, hunting
56 and archery practices and the handling and use of traps and hunting
57 implements, including bow and arrow, for such persons as are applying
58 for a license to hunt with firearms or to hunt with bow and arrow or trap
59 [for the first time and for minors who fall within the provisions of
60 section 26-38,] and shall designate one or more competent persons or
61 organizations to give such instruction. Any person or organization so
62 designated shall give such instruction online or in a classroom to any
63 person requesting the same and shall, upon the successful completion
64 thereof, recommend to the commissioner issuance of a certificate of
65 completion to such person. Successful completion of such instruction for
66 hunting license applicants shall include, but not be limited to, achieving
67 a passing grade on an examination formulated by the commissioner,
68 which shall include correctly stating in writing, or reciting orally, the
69 regulations for hunting in proximity to buildings occupied by persons
70 or domestic animals or used for storage of flammable or combustible
71 materials and the regulations for shooting towards persons, buildings
72 or animals. Any such person or organization may charge any person
73 taking a course of instruction a reasonable fee, established by the
74 commissioner.

75 (b) No firearms hunting, [archery hunting or] trapping license or
76 archery hunting permit shall be issued to any person unless he presents
77 proof in the form of a license or certified copy thereof that he has held a
78 similar resident license or permit to hunt with firearms or with bow and
79 arrow or to trap within five years from the date of application in any
80 state or country or possession thereof, or unless he presents to the town
81 clerk a certificate of completion issued under subsection (a) of this

82 section or an equivalent, as deemed by the commissioner, of such
83 certificate. Each town clerk shall transmit all such certificates presented
84 to him to the Commissioner of Energy and Environmental Protection in
85 connection with his report to the commissioner under section 26-36.

86 (c) Any person who obtains a firearms hunting, [archery hunting or]
87 trapping license or archery hunting permit by giving false information
88 or by presenting a fraudulent certificate shall be fined not less than
89 twenty-five dollars or more than one hundred dollars and such license
90 or permit, or any such subsequent license procured by such person on
91 the basis of any fraudulent statement or act in procuring such original
92 license or permit, shall be revoked and shall not be reissued for one year
93 from the date of such revocation.

94 (d) Any certified conservation education-firearms safety instructor
95 while giving such instruction and any person scheduled to receive such
96 instruction may possess and transport shotguns and rifles on Sunday
97 and on said day may discharge such firearms on any state-owned
98 property with prior approval of the agency controlling such property
99 and on any privately owned property with the permission of the owner,
100 the provisions of section 26-73 to the contrary notwithstanding.

101 (e) There is annually appropriated to the Department of Energy and
102 Environmental Protection from the General Fund the sum of fifty
103 thousand dollars to be used by said department for the purchase of
104 supplies and materials and necessary personal services in carrying out
105 the provisions of this section.

106 (f) Any person who has been refused a certificate of completion under
107 the provisions of subsection (a) of this section may appeal from such
108 refusal to the commissioner, who shall make the final determination on
109 issuance of such certificate to the applicant.

110 (g) Any holder of a hunting license which has been suspended under
111 section 26-61, for a hunting safety violation [as identified by the
112 commissioner in the Hunting and Trapping Guide published annually
113 by the Department of Energy and Environmental Protection] or any

114 holder of such a license which has been suspended under section 26-62
115 shall successfully complete a remedial hunter education course
116 formulated by the Commissioner of Energy and Environmental
117 Protection and show proof that the hunter has successfully completed a
118 conservation education-firearms safety course or its equivalent, as
119 deemed by the commissioner, prior to any reinstatement of such license.

120 Sec. 4. Section 26-85 of the general statutes is repealed and the
121 following is substituted in lieu thereof (*Effective from passage*):

122 No person shall use or attempt to use or possess any [jacklight] night
123 vision enhancement device for the purpose of taking any deer. For the
124 purpose of establishing a prima facie case under the provisions of this
125 section, a [jacklight] night vision enhancement device shall be construed
126 as any artificial light, thermal imaging or electronic light intensification
127 scope or camera when used in conjunction with any rifle larger than a
128 twenty-two long rifle, or with a shotgun and ball shells or shot larger
129 than No. 2 shot or with a bow and arrow or crossbow, in any area
130 frequented by deer or where deer are known to be present, or in any
131 deer habitat, and possession of such articles in any such place, or any
132 road, lane or passageway adjacent to such place, by any person during
133 the period from one-half hour after sunset to sunrise shall be prima facie
134 evidence of a violation of this section. Any person who kills or wounds
135 any deer with any firearm or other weapon by the aid or use of any
136 [artificial light] night vision enhancement device during the period from
137 one-half hour after sunset to sunrise shall be subject to the provisions of
138 this section. Any person who violates any provision of this section shall
139 be fined not less than two hundred dollars nor more than five hundred
140 dollars or be imprisoned not less than thirty days nor more than six
141 months or be both fined and imprisoned, for the first offense, and for
142 each subsequent offense shall be fined not less than two hundred dollars
143 nor more than one thousand dollars or imprisoned not more than one
144 year, or be both fined and imprisoned. Any firearm, shell, cartridge and
145 any other weapon and portable [lights] device, batteries and any other
146 device used, or intended to be used by, and found by the trial court to
147 have been in the possession of, any person charged with a violation of

148 any provision of this section, when such person is convicted, or upon
149 the forfeiture of any bond taken upon any such complaint, shall be
150 ordered by the trial court to be forfeited to the state and all such articles
151 shall, by order of said court, be turned over to the commissioner and
152 may be retained for use by the department or assigned by the
153 commissioner to any other state agency, may be sold at public auction
154 by the Commissioner of Administrative Services at the request of the
155 commissioner or may be destroyed at the discretion of the
156 commissioner. The proceeds of any such sale shall be paid to the State
157 Treasurer and by him credited to the General Fund. If a motor vehicle is
158 used to transport such person to or toward or away from the place
159 where the illegal act was committed, the operator's license of such
160 person or, if he has no such license, the privilege to obtain such license
161 shall be suspended by the Commissioner of Motor Vehicles for a period
162 of one year from the date of such conviction or forfeiture of such bond.
163 Said commissioner, after a hearing is held thereon, may issue to such
164 person a restricted, limited operator's license if such license is required
165 by such person to earn a livelihood. Said commissioner shall suspend
166 such license for the remainder of the original suspension period if such
167 restricted license is used for purposes other than those determined by
168 said commissioner.

169 Sec. 5. Subsection (h) of section 26-30 of the general statutes is
170 repealed and the following is substituted in lieu thereof (*Effective from*
171 *passage*):

172 (h) The Commissioner of Energy and Environmental Protection may
173 issue a group fishing license to any tax-exempt organization qualified
174 under Section 501(c)(3) of the Internal Revenue Code of 1986, or any
175 subsequent corresponding internal revenue code of the United States,
176 as amended from time to time, for the purpose of conducting a group
177 fishing event or events for persons: (1) With a service-related or other
178 disability who receive services at a facility of the United States
179 Department of Veterans Affairs Connecticut Healthcare System, (2) who
180 receive mental health or addiction services from: (A) The Department of
181 Mental Health and Addiction Services, (B) state-operated facilities, as

182 defined in section 17a-458, or (C) programs or facilities funded by the
183 Department of Mental Health and Addiction Services, as provided for
184 in sections 17a-468b, 17a-469, 17a-673 and 17a-676, (3) with intellectual
185 disability who receive services from the Department of Developmental
186 Services, as provided for in section 17a-217, or from facilities licensed by
187 the Department of Developmental Services, as provided for in section
188 17a-227, (4) diagnosed with autism spectrum disorder who receive
189 services from the Department of Social Services, or (5) receiving care
190 from the Department of Children and Families, as provided for in
191 section 17a-94, or from programs or child-care facilities licensed
192 pursuant to section 17a-145 or 17a-147. Any such organization shall
193 conduct not more than fifty such events, including marine and inland
194 water events, in any calendar year and each such event shall be limited
195 to not more than [fifty] one hundred persons. Application for such a
196 group fishing license shall be submitted once per calendar year on a
197 form prescribed by the commissioner and with the necessary fee and
198 shall provide such information as required by the commissioner. All
199 fishing activities conducted pursuant to such group license shall be
200 supervised by staff or volunteers of the organization conducting the
201 event or events. Such staff or volunteers shall possess such group fishing
202 license at the site of any such event or events. Each such staff member
203 or volunteer shall have a license to fish. Such organization shall, not later
204 than ten days after such group fishing event, report to the commissioner,
205 on forms provided by the commissioner, information on the results of
206 such event. Such information shall include, but not be limited to, the
207 total: (A) Number of participants, (B) hours fished, (C) number of each
208 species caught, and (D) number of each species not released. Such
209 organization shall not charge a fee to any person that participates in any
210 such group fishing event conducted pursuant to such group fishing
211 license and any such group fishing event shall not be used by such
212 organization as a fund raising event.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	26-86

Sec. 2	<i>from passage</i>	26-86c
Sec. 3	<i>October 1, 2020</i>	26-31
Sec. 4	<i>from passage</i>	26-85
Sec. 5	<i>from passage</i>	26-30(h)

Statement of Purpose:

To revise certain fishing and hunting related statutes concerning motor vehicle deer strikes, bow and arrow hunting, the use of night vision devices and veteran fishing events.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]