



General Assembly

January Session, 2023

Raised Bill No. 1149

LCO No. 4319



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

***AN ACT ELIMINATING ALL RESTRICTIONS FOR SUNDAY HUNTING
ON PUBLIC AND PRIVATE PROPERTY.***

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

1 Section 1. Section 26-3 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2023*):

3 The Commissioner of Energy and Environmental Protection shall
4 enforce all of the laws relating to fish and wildlife of the state and shall
5 possess all powers necessary to fulfill the duties prescribed by law with
6 respect thereto and to bring actions in the proper courts of this state for
7 the enforcement of such laws and the orders and regulations adopted
8 and promulgated by said commissioner. Said commissioner shall have
9 the supervision of hatcheries and retaining ponds and of the
10 introduction, propagation, securing and distribution of such fish and
11 wildlife as are adapted to the waters or lands of this state, and may
12 designate, as closed to fishing, areas of inland waters to provide for
13 spawning beds. The commissioner may take at any time or place, [other
14 than Sundays,] using any method consistent with professional wildlife
15 management principles, any fish, crustacean, bird or animal for

16 scientific and educational purposes, public health and safety,
17 propagation and dissemination, or protection of natural or agricultural
18 ecosystems. Such taking shall not include the use of a snare. In the case
19 of an imminent threat to public health or public safety, notwithstanding
20 any provision of the general statutes, the commissioner may take at any
21 time or place, using any method consistent with professional wildlife
22 management principles, any fish, crustacean, bird or animal. Said
23 commissioner shall have jurisdiction of all matters relating to fish and
24 wildlife on any land belonging to the state and the regulation of hunting,
25 fishing and trapping and the use of the waters of any lake, pond or
26 stream on such land. The commissioner shall not grant to any
27 conservation officer, appointee or other person any special privileges
28 with respect to hunting, fishing, trapping or the use of the waters of any
29 lake, pond or stream on such land. Said commissioner may erect
30 buildings upon any such land, subject to the permission of the
31 authorities of any institution or commission controlling such land and
32 the approval of the Commissioner of Administrative Services and the
33 State Properties Review Board. The Commissioner of Energy and
34 Environmental Protection may employ such special assistants as
35 necessary. Said commissioner shall cooperate with the United States
36 Fish and Wildlife Service and the fish and wildlife commissioners of
37 other states. Said commissioner may acquire, by gift or lease and, with
38 the approval of the Governor alone, by purchase, lands for the
39 establishment of fish hatcheries or game preserves and fisheries or
40 wildlife management areas. Said commissioner may, with the approval
41 of the Attorney General, grant rights-of-way or other easements or
42 leases for public purposes to the United States government, any
43 subdivision of the state or any public utility within the state on or with
44 respect to any lands under jurisdiction of said commissioner if said
45 commissioner finds that such purposes are not in conflict with the
46 public interest, provided any such public utility shall pay for any right-
47 of-way, easement or lease so granted such compensation as said
48 commissioner considers reasonable. Said commissioner shall have
49 authority to establish the boundaries of any properties under the
50 jurisdiction of said commissioner by agreement with owners of

51 adjoining property and may, with the approval of the Attorney General
52 alone, exchange land with such property owners and execute deeds in
53 the name of the state for the purpose of establishing such boundaries.
54 The commissioner may provide for the importation of fish and wildlife,
55 and provide for the protection, propagation and distribution of such
56 imported or native fish and wildlife. The commissioner may locate, lay
57 out, construct and maintain nurseries and rearing ponds where fish may
58 be planted, propagated and reared and liberate and distribute such fish
59 in the waters of this state. Said commissioner may acquire by gift,
60 purchase, capture or otherwise any fish or wildlife for propagation,
61 experimental or scientific purposes. Notwithstanding any provisions of
62 the general statutes, said commissioner may destroy and dispose of any
63 undesirable or diseased wildlife in the interest of wildlife management
64 at any time or place and using any method consistent with professional
65 wildlife management principles if said commissioner determines that
66 such wildlife (1) aggressively invades, or is likely to be detrimental to,
67 agricultural crops, native plants, livestock or wildlife, (2) is likely to be
68 a carrier of insects, disease or parasites detrimental to such crops, plants
69 or wildlife, (3) is likely to have a detrimental effect on natural or
70 agricultural ecosystems, (4) is likely to be detrimental to endangered or
71 threatened species or species of special concern, as listed in the
72 regulations adopted by the commissioner under this chapter, or such
73 species' essential habitats, or (5) causes severe property damage. The
74 commissioner may enter into cooperative agreements with educational
75 institutions and state, federal or other agencies to promote wildlife
76 research and to train personnel for wildlife management, information,
77 distribution and education projects, and may enter into cooperative
78 agreements with federal agencies, municipalities, corporations,
79 organized groups or landowners, associations and individuals for the
80 development of fish or wildlife management and demonstration
81 projects. The commissioner may allocate and expend for the protection,
82 restoration, preservation and propagation of fish and wildlife all funds
83 of the state collected, appropriated and acquired for the purpose.

84 Sec. 2. Subsection (a) of section 26-82 of the general statutes is

85 repealed and the following is substituted in lieu thereof (*Effective July 1,*
86 *2023*):

87 (a) No person shall hunt, pursue, wound or kill any deer or sell or
88 offer for sale or have in possession the flesh of any deer captured or
89 killed in this state, or have in possession the flesh of any deer from any
90 other state or country unless it is properly tagged as required by such
91 state or country except as provided by the terms of this chapter or
92 regulations adopted pursuant thereto, and except that any landowner
93 or primary lessee of land owned by such landowner or the husband or
94 wife or any lineal descendant of such landowner or lessee or any
95 designated agent of such landowner or lessee may kill deer with a
96 shotgun, rifle or bow and arrow provided a damage permit has first
97 been obtained from the commissioner and such person has not been
98 convicted for any violation of this section, section 26-85, 26-86a, as
99 amended by this act, 26-86b or 26-90 or subsection (b) of section 26-86a-
100 2 of the regulations of Connecticut state agencies within three years
101 preceding the date of application. Upon the receipt of an application, on
102 forms provided by the commissioner and containing such information
103 as said commissioner may require, from any landowner who has or
104 whose primary lessee has an actual or potential gross annual income of
105 twenty-five hundred dollars or more from the commercial cultivated
106 production of grain, forage, fruit, vegetables, flowers, ornamental plants
107 or Christmas trees and who is experiencing an actual or potential loss of
108 income because of severe damage by deer, the commissioner shall issue
109 not more than six damage permits without fee to such landowner or the
110 primary lessee of such landowner, or the wife, husband, lineal
111 descendant or designated agent of such landowner or lessee. The
112 application shall be notarized and signed by all landowners or by the
113 landowner or a lessee to whom a farmer tax exemption permit has been
114 issued pursuant to subdivision (63) of section 12-412. Such damage
115 permit shall be valid through October thirty-first of the year in which it
116 is issued and may specify the hunting implement or shot size or both
117 which shall be used to take such deer. The commissioner may at any
118 time revoke such permit for violation of any provision of this section or

119 for violation of any regulation pursuant thereto or upon the request of
120 the applicant. Notwithstanding the provisions of section 26-85, the
121 commissioner may issue a permit to any landowner or primary lessee
122 of land owned by such landowner or the husband or wife or any lineal
123 descendant of such landowner or lessee and to not more than three
124 designated agents of such landowner or lessee to use a jacklight for the
125 purpose of taking deer when it is shown, to the satisfaction of the
126 commissioner, that such deer are causing damage which cannot be
127 reduced during the daylight hours between sunrise and one-half hour
128 after sunset on the land of such landowner. The commissioner may
129 require notification as specified on such permit prior to its use. Any deer
130 killed in accordance with the provisions of this section shall be the
131 property of the owner of the land upon which the same has been killed,
132 but shall not be sold, bartered, traded or offered for sale, and the person
133 who kills any such deer shall tag and report each deer killed, as
134 provided in section 26-86b. Upon receipt of the report required by
135 section 26-86b, the commissioner shall issue an additional damage
136 permit to the person making such report. Any deer killed otherwise than
137 under the conditions provided for in this chapter or regulations adopted
138 pursuant thereto shall remain the property of the state and may be
139 disposed of by the commissioner at the commissioner's discretion to any
140 state institution or may be sold and the proceeds of such sale shall be
141 remitted to the State Treasurer, who shall apply the same to the General
142 Fund, and no person, except the commissioner, shall retail, sell or offer
143 for sale the whole or any part of any such deer. No person shall be a
144 designated agent of more than one landowner or primary lessee in any
145 calendar year. No person shall make, set or use any trap, snare, salt lick,
146 bait or other device for the purpose of taking, injuring or killing any
147 deer, except that deer may be taken over an attractant in areas
148 designated by the commissioner. For the purposes of this section, an
149 attractant means any natural or artificial substance placed, exposed,
150 deposited, distributed or scattered that is used to attract, entice or lure
151 deer to a specific location including, but not limited to, salt, chemicals
152 or minerals, including their residues or any natural or artificial food,
153 hay, grain, fruit or nuts. The commissioner may authorize any

154 municipality, homeowner association or nonprofit land-holding
155 organization approved by the commissioner under the provisions of
156 this section to take deer at any time [, other than Sundays,] or place using
157 any method consistent with professional wildlife management
158 principles when a severe nuisance or ecological damage can be
159 demonstrated to the satisfaction of the commissioner. Any such
160 municipality, homeowner association or nonprofit land-holding
161 organization shall submit to the commissioner, for the commissioner's
162 review and approval, a plan that describes the extent and degree of the
163 nuisance or ecological damage and the proposed methods of taking.
164 Prior to the implementation of any such approved plan, the
165 municipality, homeowner association or nonprofit land-holding
166 organization shall provide notice of such plan to any abutting
167 landowners of such place where the plan will be implemented. Such
168 plan shall not authorize the use of a snare. No person shall hunt, pursue
169 or kill deer being pursued by any dog, whether or not such dog is owned
170 or controlled by such person, except that no person shall be guilty of a
171 violation under this section when such a deer is struck by a motor
172 vehicle operated by such person. No person shall use or allow any dog
173 in such person's charge to hunt, pursue or kill deer. No permit shall be
174 issued when in the opinion of the commissioner the public safety may
175 be jeopardized.

176 Sec. 3. Subsection (a) of section 26-86a of the general statutes is
177 repealed and the following is substituted in lieu thereof (*Effective July 1,*
178 *2023*):

179 (a) The commissioner shall establish by regulation adopted in
180 accordance with the provisions of chapter 54 standards for deer
181 management, and methods, regulated areas, bag limits, seasons and
182 permit eligibility for hunting deer with bow and arrow, muzzleloader
183 and shotgun. [, except that no such hunting shall be permitted on
184 Sunday by any means other than with bow and arrow on private
185 property pursuant to section 26-73.] No person shall hunt, pursue,
186 wound or kill deer with a firearm without first obtaining a deer permit
187 from the commissioner in addition to the license required by section 26-

188 27. Application for such permit shall be made on forms furnished by the
189 commissioner and containing such information as he may require. Such
190 permit shall be of a design prescribed by the commissioner, shall contain
191 such information and conditions as the commissioner may require, and
192 may be revoked for violation of any provision of this chapter or
193 regulations adopted pursuant thereto. As used in this section,
194 "muzzleloader" means a rifle or shotgun of at least forty-five caliber,
195 incapable of firing a self-contained cartridge, which uses powder, a
196 projectile, including, but not limited to, a standard round ball, mini-
197 balls, maxi-balls and Sabot bullets, and wadding loaded separately at
198 the muzzle end, and "rifle" means a long gun the projectile of which is
199 six millimeters or larger in diameter. The fee for a firearms permit shall
200 be nineteen dollars for residents of the state and sixty-eight dollars for
201 nonresidents, except that any nonresident who is an active full-time
202 member of the armed forces, as defined in section 27-103, may purchase
203 a firearms permit for the same fee as is charged a resident of the state.
204 The commissioner shall issue, without fee, a private land deer permit to
205 the owner of ten or more acres of private land and the husband or wife,
206 parent, grandparent, sibling and any lineal descendant of such owner,
207 provided no such owner, husband or wife, parent, grandparent, sibling
208 or lineal descendant shall be issued more than one such permit per
209 season. Such permit shall allow the use of a rifle, shotgun, muzzleloader
210 or bow and arrow on such land from November first to December thirty-
211 first, inclusive. Deer may be so hunted at such times and in such areas
212 of such state-owned land as are designated by the Commissioner of
213 Energy and Environmental Protection and on privately owned land
214 with the signed consent of the landowner, on forms furnished by the
215 department, and such signed consent shall be carried by any person
216 when so hunting on private land. The owner of ten acres or more of
217 private land may allow the use of a rifle to hunt deer on such land
218 during the shotgun season. The commissioner shall determine, by
219 regulation, the number of consent forms issued for any regulated area
220 established by said commissioner. The commissioner shall provide for
221 a fair and equitable random method for the selection of successful
222 applicants who may obtain shotgun and muzzleloader permits for

223 hunting deer on state lands. Any person whose name appears on more
224 than one application for a shotgun permit or more than one application
225 for a muzzleloader permit shall be disqualified from the selection
226 process for such permit. No person shall hunt, pursue, wound or kill
227 deer with a bow and arrow without first obtaining a bow and arrow
228 permit pursuant to section 26-86c. "Bow and arrow", as used in this
229 section and in section 26-86c, means a bow with a draw weight of not
230 less than forty pounds. The arrowhead shall have two or more blades
231 and may not be less than seven-eighths of an inch at the widest point.
232 No person shall carry firearms of any kind while hunting with a bow
233 and arrow under this section and section 26-86c.

234 Sec. 4. Subsection (b) of section 26-91 of the general statutes is
235 repealed and the following is substituted in lieu thereof (*Effective July 1,*
236 *2023*):

237 (b) The Commissioner of Energy and Environmental Protection may
238 authorize any municipality, homeowner association or nonprofit land-
239 holding organization approved by the commissioner under the
240 provisions of this section to take resident Canada geese at any time [,
241 other than Sundays,] or place using any method consistent with
242 professional wildlife management principles. Any such municipality,
243 homeowner association or nonprofit land-holding organization shall
244 submit to the commissioner, for the commissioner's review and
245 approval, a plan that describes the extent and degree of the nuisance or
246 ecological damage and the proposed method of taking. Such plan shall
247 include prohibitions against feeding of such geese and requirements
248 that landscaping in the area is managed in a way to be less hospitable to
249 geese, utilizing native plantings. Prior to the implementation of such
250 plan, the municipality, homeowner association or nonprofit land-
251 holding organization shall provide notice of such plan to abutting
252 landowners of such place where the plan will be implemented. Such
253 plan shall not authorize the use of a snare.

254 Sec. 5. Subsection (d) of section 26-31 of the general statutes is
255 repealed and the following is substituted in lieu thereof (*Effective July 1,*

256 2023):

257 (d) Any certified conservation education-firearms safety instructor
258 while giving such instruction and any person scheduled to receive such
259 instruction may possess and transport shotguns and rifles on Sunday
260 and on said day may discharge such firearms on any state-owned
261 property with prior approval of the agency controlling such property
262 and on any privately owned property with the permission of the owner,
263 [the provisions of section 26-73 to the contrary notwithstanding.]

264 Sec. 6. Section 26-73 of the general statutes is repealed. (Effective July
265 1, 2023)

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2023	26-3
Sec. 2	July 1, 2023	26-82(a)
Sec. 3	July 1, 2023	26-86a(a)
Sec. 4	July 1, 2023	26-91(b)
Sec. 5	July 1, 2023	26-31(d)
Sec. 6	July 1, 2023	Repealer section

Statement of Purpose:

To authorize all Sunday hunting regardless of game and method on both public and private property.

[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.]