S T A T E O F N E W Y O R K

924--E

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. DelMONTE, GORDON, GIGLIO, GABRYSZAK, POWELL, SCHROEDER, LUPARDO, FIELDS -- Multi-Sponsored by -- M. of A. ALESSI, AMEDORE, BACALLES, BARCLAY, CORWIN, CROUCH, HAWLEY, KELLNER, MAGEE, MAGNARELLI, MOLINARO, O'MARA, QUINN, RABBITT, SCOZZAFAVA, TITONE, TOWNSEND -- read once and referred to the Committee on Environmental Conservation -- recommitted to the Committee on Environmental Conservation in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the environmental conservation law, in relation to hunting by crossbow; and providing for the repeal of certain provisions upon expiration thereof

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Paragraphs b and c of subdivision 4 of section 11-0901 of the environmental conservation law, as amended by chapter 600 of the laws of 1993, subparagraph 5 of paragraph b and subparagraph 5 of paragraph c as amended by chapter 430 of the laws of 2000, are amended to read as follows:

b. No person shall hunt deer:

(1) with the aid of a dog, or aircraft of any kind; or

(2) with the aid of a jacklight, spotlight, headlight or other type of artificial light; or

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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(3) with a pistol, revolver or rifle using rim-fire ammunition; or
(4) with a shotgun of less than twenty gauge or loaded with shells other than shells each carrying a single round ball or a single slug, provided however, the use of a shotgun of twenty gauge or larger having a rifled barrel or a smooth bore barrel fitted with a rifled choke, loaded with shells each carrying a single round ball or a single slug, shall not be prohibited so long as only shells having a non-metallic case, except for the base, are used; or
(5) with [a bow other than] a long bow with a draw weight [in excess] of LESS THAN thirty-five pounds; or
(6) with an arrow OR BOLT with an arrowhead that measures less than seven-eighths of an inch at its widest point or that has fewer than two sharp cutting edges; or
(7) with the aid of a pre-established bait pile other than those areas established by standard agricultural production practices; or
(8) with an arrow OR BOLT with a barbed broadhead arrowhead; OR
(9) WITH A CROSSBOW UNLESS SUCH CROSSBOW SHALL CONSIST OF A BOW AND STRING, EITHER COMPOUND OR RECURVE, THAT LAUNCHES A MINIMUM FOURTEEN INCH BOLT, NOT INCLUDING POINT, MOUNTED UPON A STOCK WITH A TRIGGER THAT HOLDS THE STRING AND LIMBS UNDER TENSION UNTIL RELEASED. THE TRIGGER UNIT OF SUCH CROSSBOW MUST HAVE A WORKING SAFETY. THE MINIMUM LIMB WIDTH OF SUCH CROSSBOW SHALL BE SEVENTEEN INCHES, HAVE A MINIMUM PEAK DRAW WEIGHT OF ONE HUNDRED POUNDS AND A MAXIMUM PEAK DRAW WEIGHT OF TWO HUNDRED POUNDS. THE MINIMUM OVERALL LENGTH OF SUCH CROSSBOW FROM BUTT TO STOCK TO FRONT OF LIMBS SHALL BE TWENTY-FOUR INCHES.
c. No person shall hunt bear:
(1) with the aid of a dog, or aircraft of any kind; or
(2) with the aid of a jacklight, spotlight, headlight or other type of artificial light; or
(3) with a pistol, revolver or rifle using rim-fire ammunition; or
(4) with a shotgun of less than twenty gauge or loaded with shells other than shells each carrying a single round ball or a single slug, provided however, the use of a shotgun of twenty gauge or larger having a rifled barrel or a smooth bore barrel fitted with a rifled choke, loaded with shells each carrying a single round ball or a single slug, shall not be prohibited so long as only shells having a non-metallic case, except for the base, are used; or
(5) with [a bow other than] a long bow with a draw weight [in excess] of LESS THAN thirty-five pounds; or
(6) with an arrow OR BOLT with an arrowhead that measures less than seven-eighths of an inch at its widest point or that has fewer than two sharp cutting edges; or
(7) with the aid of a pre-established bait pile other than those areas established by standard agricultural production practices; or
(8) with an arrow OR BOLT with a barbed broadhead arrowhead; OR
(9) WITH A CROSSBOW UNLESS SUCH CROSSBOW SHALL CONSIST OF A BOW AND STRING, EITHER COMPOUND OR RECURVE, THAT LAUNCHES A MINIMUM FOURTEEN INCH BOLT, NOT INCLUDING POINT, MOUNTED UPON A STOCK WITH A TRIGGER THAT HOLDS THE STRING AND LIMBS UNDER TENSION UNTIL RELEASED. THE TRIGGER UNIT OF SUCH CROSSBOW MUST HAVE A WORKING SAFETY. THE MINIMUM LIMB WIDTH OF SUCH CROSSBOW SHALL BE SEVENTEEN INCHES, HAVE A MINIMUM PEAK DRAW WEIGHT OF ONE HUNDRED POUNDS AND A MAXIMUM PEAK DRAW WEIGHT OF TWO HUNDRED POUNDS. THE MINIMUM OVERALL LENGTH OF SUCH CROSSBOW FROM BUTT TO STOCK TO FRONT OF LIMBS SHALL BE TWENTY-FOUR INCHES.

S 2. Paragraph d of subdivision 4 of section 11-0901 of the environmental conservation law, as amended by chapter 600 of the laws of 1993, is amended to read as follows:

d. The use upon land inhabited by deer or bear of a jacklight, spotlight or other type of artificial light by any person who is or is accompanied by a person who is in possession, at the time of such use, of a long bow, a crossbow or firearm of any kind, shall be presumptive evidence that such person is hunting deer or bear with the aid of such light, in violation of this subdivision, unless:

(1) such long bow is unstrung, or such a firearm OR CROSSBOW is taken down, or securely fastened in a case, or locked in the trunk of a vehicle, or

(2) the firearm is a pistol or revolver, or

(3) the firearm is not in or on a motor vehicle and is a rifle designed or adapted for use of rim-fire ammunition and neither the person in possession of the gun, nor any member of his party, has in his possession any twenty-two caliber ammunition other than twenty-two caliber rim-fire ammunition, or

(4) the firearm is not in or on a motor vehicle and is a shotgun and neither the person in possession of the gun, nor any member of his party, has in his possession ammunition other than shells loaded with scatter shot of size number four or smaller.

S 3. Subdivision 2 of section 11-0931 of the environmental conservation law, as amended by section 50 of part F of chapter 82 of the laws of 2002, is amended to read as follows:

2. No firearm OR CROSSBOW except a pistol or revolver shall be carried or possessed in or on a motor vehicle unless it is unloaded, FOR A FIREARM in both the chamber and the magazine, except that a loaded firearm which may be legally used for taking migratory game birds may be carried or possessed in a motorboat while being legally used in hunting migratory game birds, and no person except a law enforcement officer in the performance of his official duties shall, while in or on a motor vehicle, use a jacklight, spotlight or other artificial light upon lands inhabited by deer if he is in possession or is accompanied by a person who is in possession, at the time of such use, of a longbow, crossbow or a firearm of any kind except a pistol or revolver, unless such longbow is unstrung or such firearm OR CROSSBOW is taken down or securely fastened in a case or locked in the trunk of the vehicle. For purposes of this subdivision, motor vehicle shall mean every vehicle or other device operated by any power other than muscle power, and which shall include but not be limited to automobiles, trucks, motorcycles, tractors, trailers and motorboats, snowmobiles and snowtravelers, whether operated on or off public highways. Notwithstanding the provisions of this subdivision, the department may issue a permit to any person who is non-ambulatory, except with the use of a mechanized aid, to possess a loaded firearm in or on a motor vehicle as defined in this section, subject to such restrictions as the department may deem necessary in the interest of public safety, and for a fee of five dollars. Nothing in this section permits the possession of a pistol or a revolver contrary to the penal law.

S 4. Subdivision 15 of section 11-0901 of the environmental conservation law, as amended by chapter 81 of the laws of 1988, is amended to read as follows:

15. Notwithstanding any inconsistent provision of this section, the department may [issue a permit to take] ADOPT REGULATIONS TO ALLOW THE TAKING OF big game or small game by the use of a LONG bow equipped with

a mechanical device for holding and releasing the bowstring, attached to the handle section of an otherwise legal LONG bow, to any person WITH A PHYSICAL DISABILITY who is [permanently] physically incapable of drawing and holding a LONG bow because of a physical [handicap or] disability, subject to such restrictions as the department may [deem necessary in the interest of public safety] ADOPT BY REGULATION. FOR THE PURPOSE OF THIS SUBDIVISION, A PERSON WITH A PHYSICAL DISABILITY SHALL MEAN ANY PERSON WHO SUBMITS TO THE DEPARTMENT A STATEMENT OF A PHYSICIAN DULY LICENSED TO PRACTICE MEDICINE THAT SUCH PERSON IS PHYSICALLY INCAPABLE OF ARM MOVEMENT SUFFICIENT TO DRAW, HOLD AND RELEASE A LONG BOW AS DEFINED IN SUBDIVISION 4 OF THIS SECTION OR AS OTHERWISE DEFINED IN DEPARTMENT REGULATION. THE DEPARTMENT IS AUTHORIZED TO ADOPT REGULATIONS REQUIRING DOCUMENTATION TO ESTABLISH THAT AN APPLICANT IS ELIGIBLE TO USE A MECHANICAL DEVICE PURSUANT TO THIS SUBDIVISION.

S 5. Section 11-0901 of the environmental conservation law is amended by adding a new subdivision 17 to read as follows:

17. NOTWITHSTANDING ANY INCONSISTENT PROVISION OF THIS SECTION, THE DEPARTMENT MAY, BY REGULATION, AUTHORIZE THE TAKING OF BIG GAME BY THE USE OF A CROSSBOW BY ANY LICENSED PERSON IN ANY BIG GAME SEASON IN WHICH THE USE OF A SHOTGUN OR MUZZLE LOADER IS PERMITTED, PROVIDED HOWEVER THAT ANY SUCH AUTHORIZED TAKING OF BIG GAME BY THE USE OF A CROSSBOW IN A SEASON OR SPECIAL SEASON IN WHICH THE MUZZLE LOADER IS THE ONLY FIREARM PERMITTED SHALL SUCCEED THE REGULAR OPEN HUNTING SEASON FOR DEER ESTABLISHED PURSUANT TO SECTION 11-0907 OF THIS TITLE.

S 6. Subdivision 11 of section 11-0701 of the environmental conservation law, as amended by chapter 344 of the laws of 2008, is amended to read as follows:

11. A muzzle-loading stamp when affixed to a resident license which authorizes the holder to hunt big game entitles a holder who is fourteen years of age or older to hunt wild deer and bear with a muzzle-loading firearm OR CROSSBOW, as provided in title 9 of this article, in a special muzzle-loading firearm season.

S 7. Subdivision 14 of section 11-0701 of the environmental conservation law, as amended by section 16 of part F of chapter 82 of the laws of 2002, is amended to read as follows:

14. A non-resident muzzle-loading license entitles a person who has not been a resident of the state for more than thirty days to hunt wild deer with a muzzle-loading firearm OR CROSSBOW in a special muzzle-loading season as provided in title 9 of this article and, when accompanied by a non-resident bear tag, entitles the holder to hunt bear with a muzzleloader during the open bear season.

S 8. Paragraph g of subdivision 7 of section 11-0903 of the environmental conservation law, as amended by chapter 143 of the laws of 1982, is amended to read as follows:

g. Such a season shall be fixed only in towns or parts thereof where the discharge of firearms is not prohibited by town ordinance, and deer shall be taken only by means of shotguns using a single ball or slug or muzzle loading firearms OR CROSSBOW;

S 9. Paragraph a of subdivision 1 of section 11-0907 of the environmental conservation law, as amended by section 37 of part F of chapter 82 of the laws of 2002, is amended to read as follows:

a. Wild deer without antlers or having antlers measuring less than three inches in length shall not be taken unless it is taken (1) by long bow in a special long bow season established in subdivision 3 of this section, or (2) by muzzle-loading firearm OR CROSSBOW in a special muzzle-loading firearm season established in subdivision 8 of this

section, or (3) by long bow in Westchester and Suffolk Counties in a year in which a regular season for deer of either sex is established for such counties, or (4) in a special open season for deer of either sex fixed by regulation pursuant to subdivision 5 or 7 of section 11-0903 of this title, or (5) pursuant to a special antlerless deer license in a special open season for antlerless deer in a tract within a Wilderness Hunting Area fixed by regulation pursuant to subdivision 6 of section 11-0903 of this title, or (6) pursuant to a deer management permit by a person eligible to take such deer pursuant thereto as provided in section 11-0913 of this title, or (7) pursuant to a permit issued to an eligible non-ambulatory person, pursuant to subdivision 2 of section 11-0931 of this title, while in possession of a valid license issued by the department which authorizes the holder to hunt big game. Nothing in this subparagraph shall be construed to limit the power of the department to designate by regulation an area or areas of the state consisting of a county or part of a county where such season shall apply and whether the number of such special permits shall be limited.

S 10. Paragraphs a and b of subdivision 8 of section 11-0907 of the environmental conservation law, paragraph a as amended by section 45 of part F of chapter 82 of the laws of 2002 and paragraph b as amended by chapter 241 of the laws of 1997, are amended to read as follows:

a. In every area identified in column one of the table set forth in subdivision 2 of this section, except those areas restricted to special seasons for taking deer by longbow only, special open seasons may be established by regulation for taking deer and/or bear, by the use of muzzle-loading firearms, of not less than .44 caliber shooting a single projectile, OR BY THE USE OF A CROSSBOW, by the holders of a small and big game, sportsman or free sportsman license to which a valid muzzle-loading stamp is affixed or to holders of a resident or non-resident super-sportsman, or non-resident muzzle-loading license.

b. Such special open season for the Southern Zone shall be for the seven day period immediately preceding the regular open season for deer stated in column two of the table set forth in subdivision 2, except that the department may, by regulation, fix such open season in the Southern Zone or any portion thereof to be either the seven days immediately preceding or immediately following the regular open season for deer, PROVIDED, HOWEVER, THAT ANY TAKING OF DEER OR BEAR BY THE USE OF A CROSSBOW IN A SEASON OR SPECIAL SEASON IN WHICH THE MUZZLE LOADER IS THE ONLY FIREARM PERMITTED SHALL SUCCEED THE REGULAR OPEN HUNTING SEASON FOR DEER ESTABLISHED PURSUANT TO SUBDIVISION 2 OF THIS SECTION.

S 11. Paragraph a of subdivision 2 of section 11-0907 of the environmental conservation law, as amended by chapter 600 of the laws of 1993, item (b) as amended by chapter 600 of the laws of 2005, items (d) and (f) as separately amended by chapter 600 of the laws of 2005 and chapter 108 of the laws of 1995, and item (i) as amended by chapter 441 of the laws of 2009, is amended to read as follows:

a. Regular open hunting seasons for deer are established separately for the named regions or parts of regions, or named counties listed in column one of the table set forth in this subdivision, and are specified as seasons for taking by pistol, rifle, shotgun, CROSSBOW or long bow, or for taking by shotgun or long bow only, or for taking by long bow only, as indicated in column three entitled "Manner of Taking". Where taking of big game by shotgun is permitted by this chapter such shotgun may contain rifling in all or a portion of the barrel, provided, however, if the barrel or a portion thereof does contain rifling only shells having non-metallic cases, except for the base, may be used. In the

areas identified in column one except in the "closed areas" specified in subdivision 5 the game specified in column two may be taken in the open season stated in column two immediately following the specification of the game, in the manner specified in column three.

TABLE

Column One Area	Column Two Game and Open Season	Column Three Manner of Taking
(a) Northern Zone	Deer, next to last Saturday in October through first Sunday in December	Pistol, rifle, shotgun, CROSSBOW or long bow
(b) Catskill region except Delaware, Greene, Sullivan, Ulster counties and those counties or portions thereof listed in item (i) of this paragraph	Deer, first Monday after November 15 through first Tuesday after December 7	Pistol, rifle, shotgun, CROSSBOW or long bow
(c) Counties of Delaware, Greene, Sullivan and Ulster	Deer, first Monday after November 15 through first Tuesday after December 7	Pistol, rifle, shotgun, CROSSBOW or long bow
(d) Eastern region, except Columbia, Fulton, Orange, Rensselaer, Saratoga, Washington Counties and those counties or portions thereof listed in item (i) of this paragraph	Deer, first Monday after November 15 through first Tuesday after December 7	Pistol, shotgun, CROSSBOW, muzzle loading firearm or long bow only
(e) Fulton, Saratoga, Washington (parts in the Southern zone), Columbia Orange, and Rensselaer counties	Deer, first Monday after November 15 through first Tuesday after December 7	Pistol, rifle, shotgun, CROSSBOW or long bow
(f) Southern tier, central and Western region, except those counties or portions thereof listed in item (i) of this paragraph	Deer, first Monday after November 15 through first Tuesday after December 7	Pistol, shotgun, CROSSBOW, muzzle loading firearm or long bow only
(g) Westchester	Deer of either sex,	long bow only

County	November 1 through December 31	
(h) Suffolk County	Deer of either sex Second Monday in November through December thirty-first	long bow only
(i) The counties of Allegany, Cattaraugus, Chemung, Chenango, Herkimer, Madison, Montgomery, Oneida, Oswego, Otsego, Schoharie, Schuyler, Steuben, Tioga and Yates and that portion of the county of Broome east of the Susquehanna river	Deer, the first Monday after November 15 through first Tuesday after December 7	Pistol, shotgun, CROSSBOW, muzzle loading firearm, rifle or long bow only

S 12. Paragraph a of subdivision 2 of section 11-0907 of the environmental conservation law, as amended by chapter 95 of the laws of 1974, the opening paragraph as amended by chapter 11 of the laws of 1988, column 2 of item a as amended by chapter 344 of the laws of 1979, items (b), (d) and (f) as amended and item (i) as added by chapter 600 of the laws of 2005, column 2 of item (g) as amended by chapter 92 of the laws of 1980, item (h) as added by chapter 643 of the laws of 1977, column 2 of item (h) as amended by chapter 332 of the laws of 1986, is amended to read as follows:

a. Regular open hunting seasons for big game are established separately for the named regions or parts of regions, or named counties listed in column one of the table set forth in this subdivision, and are specified as seasons for taking by pistol, rifle, shotgun, CROSSBOW or long bow, or for taking by shotgun or long bow only, or for taking by long bow only, as indicated in column three entitled "Manner of Taking". Where taking of big game by shotgun is permitted by this chapter such shotgun may contain rifling in all or a portion of the barrel, provided, however, if the barrel or a portion thereof does contain rifling only shells having non-metallic cases, except for the base, may be used. In the areas identified in column one except in the "closed areas" specified in subdivision 5 the game specified in column two may be taken in the open season stated in column two immediately following the specification of the game, in the manner specified in column three.

TABLE

Column One Area	Column Two Game and Open Season	Column Three Manner of Taking
(a) Northern Zone	Deer and bear, next to last Saturday in October through first Sunday in December	Pistol, rifle, shotgun, CROSSBOW or long bow

(b) Catskill region except Delaware, Greene, Sullivan, Ulster counties and those counties or portions thereof listed in item (i) of this paragraph	Deer and bear, first Monday after November 15 through first Tuesday after December 7	Pistol, rifle, shotgun, CROSSBOW or long bow
(c) Counties of Delaware, Greene, Sullivan and Ulster	Deer, first Monday after November 15 through first Tuesday after December 7; Bear, first Monday after November 15 through second Tuesday after December 7	Pistol, rifle, shotgun, CROSSBOW or long bow
(d) Eastern region, except Columbia, Fulton, Orange, Rensselaer, Saratoga, Washington Counties and those counties or portions thereof listed in item (i) of this paragraph	Deer and bear, first Monday after November 15 through first Tuesday after December 7	Pistol, shotgun, CROSSBOW, muzzle loading firearm or long bow only
(e) Fulton, Saratoga, Washington (parts in the Southern zone), Columbia, Orange, and Rensselaer counties	Deer and bear, first Monday after November 15 through first Tuesday after December 7	Pistol, rifle, shotgun, CROSSBOW or long bow
(f) Southern tier, central and Western region, except those counties or portions thereof listed in item (i) of this paragraph	Deer and bear, first Monday after November 15 through first Tuesday after December 7	Pistol, shotgun, CROSSBOW, muzzle loading firearm or long bow only
(g) Westchester County	Deer of either sex, November 1 through December 31	Long bow only
(h) Suffolk County	Deer of either sex Second Monday in November through December thirty-first	long bow only
(i) The counties of Allegany,	Deer and bear, the first Monday after	Pistol, shotgun, CROSSBOW,

Cattaraugus, Chenango, Herkimer, Montgomery, Oneida, Oswego, Otsego, Schoharie and Tioga and that portion of the county of Broome east of the Susquehanna river	November 15 through first Tuesday after December 7	muzzle loading firearm, rifle or long bow only

S 13. Subdivision 4 of section 11-0931 of the environmental conservation law, subparagraph 3 of paragraph a as added by chapter 400 of the laws of 1973 and subparagraph 4 of paragraph a as added by chapter 67 of the laws of 1976, is amended to read as follows:

4. a. No person shall:

(1) discharge a firearm, CROSSBOW or long bow in such a way as will result in the load, BOLT or arrow thereof passing over a public highway or any part thereof;

(2) discharge a firearm, CROSSBOW or long bow within five hundred feet from a dwelling house, farm building or farm structure actually occupied or used, school building, school playground, or occupied factory or church;

(3) use a firearm, CROSSBOW or a long bow for the hunting of migratory game birds in Larchmont Harbor, specifically those portions bounded by the following points of land:

BEGINNING AT A POINT KNOWN AS UMBRELLA POINT ON THE EAST SHORE OF LARCHMONT HARBOR THEN PROCEEDING IN A NORTHERLY DIRECTION TO CEDAR ISLAND; THENCE NORTHWESTERLY TO MONROE INLET; THENCE NORTHEASTERLY TO DELANCY COVE BEING IN THE TOWN OF MAMARONECK; THENCE IN A SOUTHWESTERLY DIRECTION FROM DELANCY COVE TO GREACEN POINT; THENCE RUNNING THE AREA BETWEEN DELANCY COVE AND THE WEST SHORE OF SATANS TOE NORTHEAST; THENCE SOUTHEAST THEN ALONG THE WEST SHORE OF SATANS TOE SOUTHWEST AND THEN SOUTH TO THE SOUTHERLY POINT OF SATANS TOE TO EDGEWATER POINT.

(4) Use of a firearm, CROSSBOW or a long bow for the hunting of migratory game birds in Udall's Cove, specifically those portions of Little Neck Bay within Nassau and Queens counties lying east of a line running north from the foot of Douglaston Parkway to the shore opposite.

b. The prohibitions contained in subparagraph 2 of paragraph a above shall not apply to:

(1) The owner or lessee of the dwelling house, or members of his immediate family actually residing therein, or a person in his employ, or the guest of the owner or lessee of the dwelling house acting with the consent of said owner or lessee, provided however, that nothing herein shall be deemed to authorize such persons to discharge a firearm, CROSSBOW or longbow within five hundred feet of any other dwelling house, or a farm building or farm structure actually occupied or used, or a school building or playground or occupied factory or church;

(2) Programs conducted by public schools offering instruction and training in the use of firearms, CROSSBOW or long bow;

(3) The authorized use of a pistol, rifle or target range regularly operated and maintained by a police department or other law enforcement agency or by any duly organized membership corporation;

(4) The discharge of a shotgun over water by a person hunting migratory game birds if no dwelling house or public structure, livestock or person is situated in the line of discharge less than five hundred feet from the point of discharge.

S 14. Paragraph c of subdivision 5 of section 11-0931 of the environmental conservation law, as amended by chapter 309 of the laws of 2006, is amended to read as follows:

c. In the Northern Zone no person, while engaged in hunting with the aid of a dog or while afield accompanied by a dog, shall possess a rifle larger than .22 caliber using rim-fire ammunition or possess a shotgun loaded with a slug, ball or buckshot, OR POSSESS A CROSSBOW; but this paragraph does not apply to persons, engaged in coyote hunts with dogs during any open season on coyotes established pursuant to the provisions of section 11-0903.

S 15. Subdivision 6 of section 11-0931 of the environmental conservation law, as amended by chapter 97 of the laws of 1978, is amended to read as follows:

6. No person while engaged in hunting deer or bear pursuant to a bowhunting stamp, and no person accompanying him or a member of his party, while he is so engaged during a special longbow season, shall have in his possession a firearm OR CROSSBOW of any kind, and no person while engaged in hunting deer or bear pursuant to a muzzle-loading stamp, and no person accompanying him or a member of his party, while he is so engaged during a special muzzle-loading firearm season, shall have in his possession a firearm of any kind other than a muzzle-loading firearm.

S 16. Section 11-0713 of the environmental conservation law is amended by adding a new subdivision 6 to read as follows:

6. THE DEPARTMENT SHALL ADOPT REGULATIONS FOR THE TRAINING IN SAFE USE OF HUNTING WITH A CROSSBOW AND RESPONSIBLE HUNTING PRACTICES. SUCH TRAINING SHALL BE INCLUDED IN THE BASIC HUNTER EDUCATION COURSE REQUIRED OF ALL NEW HUNTERS. UPON COMPLETION OF THE TRAINING BY AN INDIVIDUAL THE DEPARTMENT SHALL PROVIDE DOCUMENTATION OF THE SUCCESSFUL COMPLETION OF THE COURSE. ALL PERSONS WHO HAVE COMPLETED HUNTER EDUCATION PRIOR TO THE DATE WHICH CROSSBOW TRAINING HAS BEEN INCORPORATED INTO THE HUNTER EDUCATION PROGRAM SHALL COMPLETE AN ON LINE OR OTHER TRAINING PROGRAM APPROVED BY THE DEPARTMENT PRIOR TO USING A CROSSBOW TO HUNT BIG GAME. THE DEPARTMENT MAY ADOPT RULES AND REGULATIONS AS NECESSARY TO DOCUMENT COMPLETION OF THIS PROGRAM AND MAY REQUIRE A PERSON TO POSSESS SUCH PROOF WHILE HUNTING WITH A CROSSBOW.

S 17. This act shall take effect October 1, 2010, except that sections four and five of this act shall take effect February 1, 2011, provided that any rules or regulations necessary for the timely implementation of the provisions of this act on its effective date shall be promulgated on or before February 1, 2011 and provided further that this act shall expire on December 31, 2012 when upon such date the provisions of this act shall be deemed repealed; provided, however, that the amendments to paragraph a of subdivision 2 of section 11-0907 of the environmental conservation law made by section eleven of this act shall be subject to the expiration and reversion of such paragraph pursuant to section 13 of chapter 600 of the laws of 1993, as amended, when upon such date the provisions of section twelve of this act shall take effect.