

4727

2015-2016 Regular Sessions

I N S E N A T E

April 10, 2015

Introduced by Sen. ROBACH -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to the illegal taking of deer

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

1 Section 1. Subdivision 1 of section 71-0921 of the environmental
2 conservation law, as amended by chapter 289 of the laws of 2004, is
3 amended to read as follows:
4 1. The illegal taking of big game prior to the first day of the open
5 season or after the last day of the open season in the county or part
6 thereof where taken, or any illegal taking of a deer, or the taking of
7 big game [by the aid of] WITH an artificial light. [Each such] A FIRST
8 misdemeanor FOR A VIOLATION OF THIS SUBDIVISION shall be punishable by
9 imprisonment for not more than one year or by a fine of not less than
10 [two hundred fifty] ONE THOUSAND dollars nor more than [two] FOUR thou-
11 sand dollars, or by both such imprisonment and fine.
12 S 2. Subdivision 3 of section 71-0925 of the environmental conserva-
13 tion law is amended to read as follows:
14 3. If the violation involves the illegal taking of a deer prior to the
15 first day of the open season or after the last day of the open season in
16 the county or part of a county in which taken, or the taking of deer
17 with [the] aid of an artificial light, or the illegal taking of a wild
18 deer, one [hundred] THOUSAND dollars and an additional penalty of [four
19 hundred] ONE THOUSAND dollars for [the first] EACH deer taken and a
20 further penalty of [five hundred] ONE THOUSAND dollars for each succeed-
21 ing deer taken[;]. ANY PERSONS ILLEGALLY TAKING A DEER AND HAVING A
22 PREVIOUS CONVICTION FOR SUCH OFFENSE SHALL BE SUBJECT TO A FINE OF NOT
23 LESS THAN TWO THOUSAND DOLLARS AND NOT MORE THAN FOUR THOUSAND DOLLARS
24 AND SHALL BE SUBJECT TO A LOSS OF HUNTING PRIVILEGES FOR FIVE YEARS. ANY
25 OFFENSE INVOLVING ILLEGAL TAKING OF A DEER DONE SO IN THE PRESENCE OF A

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

LBD09974-01-5

1 MINOR SHALL BE SUBJECT TO DOUBLING OF ALL FINES AND PENALTIES. ANY
2 DAMAGES OCCURRING TO REAL PROPERTY, CROPS AND OTHER IMPROVEMENTS INCLUD-
3 ING DAMAGES TO ROBOTIC DEER SHALL RESULT IN FINES BEING DOUBLED AND/OR
4 RESTITUTION TO THE LANDOWNER.

5 S 3. This act shall take effect on the one hundred twentieth day after
6 it shall have become a law.