

STATE OF NEW YORK

2968

2019-2020 Regular Sessions

IN SENATE

January 31, 2019

Introduced by Sens. GRIFFO, AKSHAR, FUNKE, GALLIVAN, HELMING, O'MARA, ORTT, RANZENHOFER, RITCHIE -- 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 lowering the age for universal hunting licenses from fourteen years old to twelve years old

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subparagraph 3 of paragraph b of subdivision 3 of section
2 11-0713 of the environmental conservation law, as amended by section 3
3 of part R of chapter 58 of the laws of 2013, is amended to read as
4 follows:

5 (3) The issuing officer shall not issue a muzzle-loading privilege to
6 any person unless the applicant presents a hunting license issued to
7 that person for the corresponding license year and such person is at
8 least [~~fourteen~~ twelve] years old.

9 § 2. Paragraph b of subdivision 6 of section 11-0703 of the environ-
10 mental conservation law, as amended by section 2 of part R of chapter 58
11 of the laws of 2013, is amended to read as follows:

12 b. Except as provided in section 11-0707 and section 11-0709 of this
13 title, no person shall (1) hunt wild deer or bear unless such person
14 holds and is entitled to exercise the privileges of a hunting license,
15 and meets the requirements of this article; (2) hunt wild deer or bear
16 with a longbow in a special longbow season unless such person holds and
17 is entitled to exercise the privileges of a hunting license with a
18 bowhunting privilege and meets the requirements of this article; or (3)
19 hunt wild deer or bear with a muzzle-loading firearm in a special
20 muzzle-loading firearm season unless such person is at least [~~fourteen~~
21 twelve] years old and holds a hunting license with a muzzle-loading priv-
22 ilege and meets the requirements of this article.

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

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1 § 3. Subdivisions 1 and 2 of section 11-0929 of the environmental
2 conservation law, subdivision 1 as amended by section 20 of part EE of
3 chapter 55 of the laws of 2014, subdivision 2 as amended by section 13
4 of part R of chapter 58 of the laws of 2013, paragraph a and the opening
5 paragraph of paragraph b of subdivision 2 as amended by section 11 of
6 part EE of chapter 55 of the laws of 2014, subparagraph 6 of paragraph b
7 of subdivision 2 as amended by chapter 192 of the laws of 2016, are
8 amended to read as follows:

9 1. A licensee who is twelve or thirteen years of age shall not hunt
10 wildlife with a gun or a longbow unless he or she is accompanied by his
11 or her parent or legal guardian, or by a person twenty-one years of age
12 or older designated in writing by his or her parent or legal guardian on
13 a form prescribed by the department, who holds a hunting license. [~~A~~
14 ~~licensee who is twelve or thirteen years of age shall not hunt with a~~
15 ~~crossbow.~~]

16 2. A licensee who is fourteen or fifteen years of age shall not[+
17 ~~a~~] hunt wildlife with a gun, crossbow or longbow, other than wild
18 deer or bear as provided in [~~paragraph b~~] subdivision three of this
19 [~~subdivision~~] section, unless he or she is accompanied by his or her
20 parent or legal guardian holding a hunting license, or by a person eigh-
21 teen years of age or older, designated in writing by his or her parent
22 or legal guardian, holding such license;

23 [~~b~~] 3. a licensee who is twelve, thirteen, fourteen or fifteen years
24 of age, shall not hunt wild deer or bear with a crossbow or gun unless:

25 [~~(1)~~] a. he or she is accompanied by his or her parent or a legal
26 guardian, or a youth mentor who is twenty-one years of age or older
27 designated in writing by the parent or legal guardian of the licensee on
28 a form prescribed by the department; and

29 [~~(2)~~] b. such parent, guardian or youth mentor has had at least three
30 years of experience in hunting big game; and

31 [~~(3)~~] c. such parent, guardian or youth mentor holds a hunting
32 license; and

33 [~~(4)~~] d. such parent, guardian or youth mentor maintains physical
34 control over the minor he or she is accompanying at all times while
35 hunting; and

36 [~~(5)~~] e. such parent, guardian or youth mentor and the minor he or she
37 is accompanying remain at ground level at all times while hunting; and

38 [~~(6)~~] f. such parent, guardian or youth mentor and the minor he or she
39 is accompanying shall each display either a minimum total of two hundred
40 fifty square inches of solid fluorescent orange or pink or patterned
41 fluorescent orange or pink consisting of no less than fifty percent
42 fluorescent orange or pink material worn above the waist and visible
43 from all directions, or a hat or cap with no less than fifty percent of
44 the exterior consisting of solid fluorescent orange or pink material and
45 visible from all directions. For purposes of this [~~paragraph~~] subdivi-
46 sion, "physical control" shall mean that the physical proximity of the
47 minor to the parent, guardian or youth mentor is such that the parent,
48 guardian or youth mentor is reasonably able to issue verbal directions
49 and instructions, maintain constant visual contact, and otherwise
50 provide guidance and supervision to the minor.

51 § 4. Paragraph a of subdivision 1 of section 11-0701 of the environ-
52 mental conservation law, as amended by section 21 of part EE of chapter
53 55 of the laws of 2014, is amended to read as follows:

54 a. entitles a holder who is twelve or thirteen years of age to hunt
55 wildlife, [~~except big game~~] as provided in title 9 of this article
56 subject, specifically, to the provisions of section 11-0929 of this

1 article. It entitles such holder to possess firearms as provided in
2 section 265.05 of the penal law. [~~A holder who is twelve or thirteen~~
3 ~~years of age shall not hunt with a crossbow.~~]

4 § 5. Subparagraph 3 of paragraph c of subdivision 3 of section 11-0901
5 of the environmental conservation law, as amended by section 19 of part
6 EE of chapter 55 of the laws of 2014, is amended to read as follows:

7 (3) crossbows may be used but only by licensees who are [~~fourteen~~
8 twelve years of age or older.

9 § 6. Section 11-0933 of the environmental conservation law, as added
10 by section 22 of part EE of chapter 55 of the laws of 2014, is amended
11 to read as follows:

12 § 11-0933. Taking small game by crossbow.

13 Notwithstanding any provision of this chapter, or any prior notwith-
14 standing language in this article, the department may, by regulation,
15 authorize the taking of small game and wild upland game birds by the use
16 of a crossbow by any licensed person [~~fourteen~~ twelve years of age or
17 older, in any small game season, in any area designated in items (a),
18 (b), (c), (d), (e), (f), (i), (k), and (l) of paragraph a of subdivision
19 two of section 11-0907 of this title in which a shotgun or muzzle loader
20 is permitted.

21 § 7. This act shall take effect immediately.