

STATE OF NEW YORK

1299

2021-2022 Regular Sessions

IN ASSEMBLY

January 8, 2021

Introduced by M. of A. WOERNER, GUNTHER, FAHY, SANTABARBARA, MANKTELOW, ASHBY, STECK, WALCZYK, SCHMITT, WALLACE, BUTTENSCHON, REILLY, MONTESANO, DeSTEFANO, BRABENEC, BLANKENBUSH, HUNTER, B. MILLER, BYRNES -- Multi-Sponsored by -- M. of A. HEVESI, LUPARDO -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to hunting and hunting licenses; and to repeal certain provisions of such law relating thereto

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

1 Section 1. Paragraph a of subdivision 1 and subdivisions 3 and 9 of
2 section 11-0701 of the environmental conservation law, paragraph a of
3 subdivision 1 as amended by section 21 and subdivision 9 as amended by
4 section 17 of part EE of chapter 55 of the laws of 2014 and subdivision
5 3 as amended by section 1-a of part R of chapter 58 of the laws of 2013,
6 are amended to read as follows:
7 a. entitles a holder who is twelve or thirteen years of age to hunt
8 wildlife, except big game, as provided in title 9 of this article
9 subject, specifically, to the provisions of section 11-0929 of this
10 article. It entitles such holder to possess firearms as provided in
11 section 265.05 of the penal law. [~~A holder who is twelve or thirteen~~
12 ~~years of age shall not hunt with a crossbow.~~]
13 3. A bowhunting privilege when included on a hunting license entitles
14 a holder:
15 (1) who is between the ages of twelve and sixteen years to hunt wild
16 deer and bear with a longbow or crossbow during the special archery
17 season and during the regular season, as provided in title 9 of this
18 article, subject to the provisions of section 11-0929 and subdivision 3
19 of section 11-0713 of this article;

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

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1 (2) who is eighteen years of age or older to hunt wild deer and bear
2 with a longbow, as provided in title 9 of this article, in a special
3 longbow season; ~~[and]~~

4 (3) who is sixteen or seventeen years of age to exercise the same
5 privileges subject to the provisions of section 11-0929 and subdivision
6 3 of section 11-0713 of this article~~[-]~~; ~~and~~

7 (4) who is fifty-five years of age or older or determined, by a physi-
8 cian, to be physically unable to draw a longbow to hunt wild deer and
9 bear with a crossbow, as provided in title 9 of this article in a
10 special archery season.

11 9. A muzzle-loading privilege when included on a hunting license enti-
12 tles a holder who is fourteen years of age or older to hunt wild deer
13 and bear with a muzzle-loading firearm ~~[or crossbow]~~, as provided in
14 title 9 of this article, in a special muzzle-loading firearm season.

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

18 b. Except as provided in section 11-0707 and section 11-0709 of this
19 title, no person shall (1) hunt wild deer or bear unless such person
20 holds and is entitled to exercise the privileges of a hunting license,
21 and meets the requirements of this article; (2) hunt wild deer or bear
22 with a longbow or crossbow in a special ~~[longbow]~~ archery season unless
23 such person holds and is entitled to exercise the privileges of a hunt-
24 ing license with a bowhunting privilege and meets the requirements of
25 this article; or (3) hunt wild deer or bear with a muzzle-loading
26 firearm in a special muzzle-loading firearm season unless such person is
27 at least fourteen years old and holds a hunting license with a muzzle-
28 loading privilege and meets the requirements of this article.

29 § 3. Subparagraph 3 of paragraph c of subdivision 3 of section 11-0901
30 of the environmental conservation law is REPEALED.

31 § 4. Paragraph c of subdivision 3 of section 11-0901 of the environ-
32 mental conservation law, as amended by section 19 of part EE of chapter
33 55 of the laws of 2014, is amended to read as follows:

34 c. Wild small game and wild upland game birds shall be taken only by
35 longbow, crossbow or gun, or by the use of raptors as provided in title
36 10 of this article, except that:

37 (1) skunk, raccoon, bobcat, coyote, fox, mink and muskrat may be taken
38 in any manner not prohibited in this section or in title 11 of the Fish
39 and Wildlife Law; ~~and~~

40 (2) frogs may also be taken by spearing, catching with the hands, or
41 by the use of a club or hook~~[-and]~~.

42 § 5. Subparagraph 9 of paragraph b and subparagraph 9 of paragraph c
43 of subdivision 4 of section 11-0901 of the environmental conservation
44 law, subparagraph 9 of paragraph b as added by section 6 and subpara-
45 graph 9 of paragraph c as added by section 7 of part EE of chapter 55 of
46 the laws of 2014, are amended to read as follows:

47 (9) with a crossbow unless such crossbow shall consist of a bow and
48 string, either compound or recurve, that launches a minimum fourteen
49 inch ~~[belt]~~ arrow, not including point, mounted upon a stock with a
50 trigger that holds the string and limbs under tension until released.
51 The trigger unit of such crossbow must have a working safety. ~~[The mini-~~
52 ~~imum limb width of such]~~ Such crossbow shall ~~[be seventeen inches, and]~~
53 have a minimum peak draw weight of one hundred pounds ~~[and a maximum~~
54 ~~peak draw weight of two hundred pounds]~~. The minimum overall length of
55 such crossbow from buttstock to front of limbs shall be twenty-four
56 inches.

1 (9) with a crossbow unless such crossbow shall consist of a bow and
2 string, either compound or recurve, that launches a minimum fourteen
3 inch ~~[bolt]~~ arrow, not including point, mounted upon a stock with a
4 trigger that holds the string and limbs under tension until released.
5 The trigger unit of such crossbow must have a working safety. ~~[The mini-~~
6 ~~mum limb width of such]~~ Such crossbow shall ~~[be seventeen inches, and]~~
7 have a minimum peak draw weight of one hundred pounds ~~[and a maximum~~
8 ~~peak draw weight of two hundred pounds]~~. The minimum overall length of
9 such crossbow from buttstock to front of limbs shall be twenty-four
10 inches.

11 § 6. Subdivision 13 of section 11-0901 of the environmental conserva-
12 tion law, as amended by section 23 of part R of chapter 58 of the laws
13 of 2013, is amended to read as follows:

14 13. Persons engaged in hunting deer and/or bear with a longbow or
15 crossbow must possess a current bowhunting privilege or a valid certif-
16 icate of qualification in responsible bowhunting practices issued or
17 honored by the department.

18 § 7. Subdivisions 11 and 16 of section 11-0901 of the environmental
19 conservation law are REPEALED.

20 § 8. Section 11-0903 of the environmental conservation law is amended
21 by adding a new subdivision 12 to read as follows:

22 12. Notwithstanding any inconsistent provision of this article, the
23 department is authorized to adopt regulations which authorize the taking
24 of wildlife by the use of crossbow. A summary of regulations adopted
25 pursuant to this subdivision shall be published each year in the hunting
26 syllabus issued pursuant to section 11-0323 of this article.

27 § 9. Subdivision 1 of section 11-0929 of the environmental conserva-
28 tion law, as amended by section 20 of part EE of chapter 55 of the laws
29 of 2014, is amended to read as follows:

30 1. A licensee who is twelve or thirteen years of age shall not hunt
31 wildlife with a gun, crossbow or a longbow, unless he or she is accompa-
32 nied by his or her parent or legal guardian, or by a person twenty-one
33 years of age or older designated in writing by his or her parent or
34 legal guardian on a form prescribed by the department, who holds a hunt-
35 ing license. ~~[A licensee who is twelve or thirteen years of age shall~~
36 ~~not hunt with a crossbow.]~~

37 § 10. Subparagraph 5 of paragraph b of subdivision 2 of section
38 11-0929 of the environmental conservation law is REPEALED and subpara-
39 graph 6 of paragraph b of subdivision 2 is renumbered subparagraph 5.

40 § 11. Subparagraph 2 of paragraph a and subparagraph 1 of paragraph b
41 of subdivision 4 of section 11-0931 of the environmental conservation
42 law, as amended by section 8 of part EE of chapter 55 of the laws of
43 2014, are amended to read as follows:

44 (2) discharge a firearm within five hundred feet, a long bow within
45 one hundred fifty feet, or a crossbow within ~~[two]~~ one hundred fifty
46 feet from a dwelling house, farm building or farm structure actually
47 occupied or used, school building, school playground, public structure,
48 or occupied factory or church;

49 (1) The owner or lessee of the dwelling house, or members of his imme-
50 diate family actually residing therein, or a person in his employ, or
51 the guest of the owner or lessee of the dwelling house acting with the
52 consent of said owner or lessee, provided however, that nothing herein
53 shall be deemed to authorize such persons to discharge a firearm within
54 five hundred feet, a long bow within one hundred fifty feet, or a cross-
55 bow within ~~[two]~~ one hundred fifty feet of any other dwelling house, or

1 a farm building or farm structure actually occupied or used, or a school
2 building or playground, public structure, or occupied factory or church;
3 § 12. Section 11-0933 of the environmental conservation law, as added
4 by section 22 of part EE of chapter 55 of the laws of 2014, is amended
5 to read as follows:

6 § 11-0933. Taking small game by crossbow.

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

15 § 13. This act shall take effect immediately.