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CL/MM

P.L. 2023, CHAPTER 330, *approved January 16, 2024*
Assembly Committee Substitute for
Assembly, No. 5495

1 AN ACT concerning hunting with a firearm and amending R.S.23:4-
2 44, R.S.23:4-12, R.S.23:4-13, and R.S.23:4-24.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. R.S.23:4-44 is amended to read as follows:

8 23:4-44. **Unless otherwise prescribed by the State Fish and**
9 **Game Code, no** A person engaged in hunting for wild deer shall
10 not use **or carry** a **rifle of any kind or description, or any**
11 **firearm or shotgun of a smaller caliber than 12 gauge, or load such**
12 **firearm or shotgun with a bullet or other missile larger than that**
13 **commonly known as buckshot, or have in possession** except as
14 may be prescribed by the State Fish and Game Code while engaged
15 in hunting for deer during the open season **for killing deer any**
16 **missile except buckshot or, while engaged in hunting, have any**
17 **missile larger than number 4 fine shot in possession at any time**
18 **other than during the open season for killing deer; provided,**
19 **however, that nothing in this section shall prevent the hunting of**
20 **deer with a bow and arrow as stated in this section and as otherwise**
21 **provided by law and the State Fish and Game Code; provided, that**
22 **it** .

23 It shall be unlawful, unless otherwise prescribed by the State
24 Fish and Game Code, for any person to **have in his possession**
25 possess or have under **his** the person's control any long gun **or**
26 **firearm** at any time while hunting deer with bow and arrow **, and**
27 **no** . A person shall not use or **have in his possession** possess or
28 have under **his** the person's control while hunting any poison
29 arrow **, or an** arrow with explosive tips **, or any bow drawn, held**
30 **or released by mechanical means**.

31 For purposes of this section "long gun" means any rifle, shotgun,
32 machine gun, automatic or semi-automatic rifle, or any gun, device
33 or instrument in the nature of a weapon from which may be fired or
34 ejected any solid projectable ball, slug, pellet, missile or bullet, or
35 any gas, vapor or other noxious thing, by means of a cartridge or
36 shell or by the action of an explosive or the igniting of flammable
37 or explosive substances. It shall also include, without limitation,
38 any firearm which is in the nature of an air gun, spring gun or pistol

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 or other weapon of a similar nature in which the propelling force is
2 a spring, elastic band, carbon dioxide, compressed or other gas or
3 vapor, air or compressed air, or is ignited by compressed air, and
4 ejecting a bullet or missile smaller than three-eighths of an inch in
5 diameter, with sufficient force to injure a person.

6 (cf: P.L.1957, c.193, s.3)

7

8 2. R.S.23:4-12 is amended to read as follows:

9 23:4-12. **[No]** A person, shall not kill, destroy or injure, pursue
10 with intent to kill or injure or in any manner attempt to take or
11 injure, any anatidae commonly known as swans, geese, brant and
12 river and sea ducks; rallidae, commonly known as rails, gallinules,
13 coots and mud hens; limicolae, commonly known as shore birds,
14 surf snipe or bay snipe, among them being yellowlegs plovers,
15 willets, sandpipers, dowitchers or robin snipe, brown backs,
16 curlews, turnstones or calico backs, godwits or marlin, tittlers and
17 woodcocks; gallinae, commonly known as wild turkey, grouse,
18 prairie chickens, pheasants, partridge and quails; or any hare
19 commonly known as rabbit; gray, black or fox squirrels; or any
20 other game bird or game animal, except in the manner prescribed by
21 the provisions of the State Fish and Game Code, or, in the absence
22 of such provision in said code, except in the manner usually known
23 as hunting with a gun, the gun being not larger than ten gauge and
24 held at arm's length and fired from the shoulder without rest, or by
25 the use of **[long]** bow and arrow **[, provided, however, it]** .

26 It shall be unlawful for any person while hunting any wild bird
27 or animal to have both a **[firearm and]** long gun and a bow and
28 arrow in **[his]** the person's possession or under **[his]** the person's
29 control in the woods or fields or on the water **[, under]**.

30 A person who violates the provisions of this section shall be
31 subject to a penalty of **[\$20.00]** \$100 for each offense.

32 For purposes of this section "long gun" means any rifle, shotgun,
33 machine gun, automatic or semi-automatic rifle, or any gun, device
34 or instrument in the nature of a weapon from which may be fired or
35 ejected any solid projectable ball, slug, pellet, missile or bullet, or
36 any gas, vapor or other noxious thing, by means of a cartridge or
37 shell or by the action of an explosive or the igniting of flammable
38 or explosive substances. It shall also include, without limitation,
39 any firearm which is in the nature of an air gun, spring gun or pistol
40 or other weapon of a similar nature in which the propelling force is
41 a spring, elastic band, carbon dioxide, compressed or other gas or
42 vapor, air or compressed air, or is ignited by compressed air, and
43 ejecting a bullet or missile smaller than three-eighths of an inch in
44 diameter, with sufficient force to injure a person.

45 (cf: P.L.1971, c.252, s.1)

1 3. R.S.23:4-13 is amended to read as follows:

2 23:4-13. **【No】** A person shall not use in hunting any fowl or
3 animals of any kind any firearm except as permitted by the
4 provisions of the State Fish and Game Code, or, in the absence of
5 such provision in said code, except a shotgun being not larger than
6 ten gauge, and capable of holding not more than two cartridges at
7 one time, or that may be fired more than twice without reloading, or
8 use a silencer on any firearm when hunting for game or fowl, under
9 a penalty of **【twenty dollars (\$20.00)】** \$100 for each offense **【**;
10 provided, however, that the **】** .

11 The division in its discretion may issue permits for the use of a
12 rifle for shooting woodchucks only. **【No】** A person shall **【have】**
13 not use any missile larger than as permitted by the provisions of the
14 State Fish and Game Code, or, in the absence of such provision in
15 said code, larger than number four shot in possession in the woods
16 or fields at any time other than during the open season for killing
17 deer, under a penalty of **【one hundred dollars (\$100.00)】** \$100 for
18 each offense.

19 (cf: P.L.1948, c.448, s.49)

20

21 4. R.S.23:4-24 is amended to read as follows:

22 23:4-24. a. **【No】** A person shall not hunt with a hound or with
23 firearms or weapons of any kind, or carry a long gun in the woods
24 or fields or on the waters on Sunday, under a penalty of \$50 for
25 each offense; except that this section shall not apply to :

26 (1) any person hunting raccoon between midnight on Saturday
27 and sunrise on Sunday during the season prescribed in R.S.23:4-1;

28 (2) a person possessing a valid and proper rifle permit licensed
29 to trap fur-bearing animals pursuant to the provisions of R.S.23:3-1
30 using a .22 caliber rifle and .22 caliber short rimfire cartridges to
31 humanely dispatch legally trapped animals; or

32 (3) a person using a bow and arrow to hunt deer during any bow
33 and arrow hunting season for deer prescribed by the State Fish and
34 Game Code, provided the person possesses a valid bow and arrow
35 license, or a valid "All Around Sportsman License" if applicable,
36 issued by the division, abides by all applicable provisions of the
37 code, and is hunting on a State wildlife management area or on
38 private property.

39 b. This section shall not prevent farm land owners, lessees
40 actually occupying or farming the land, members of their immediate
41 families, or their farm employees from hunting and destroying at
42 any time and in any manner crows, woodchuck, fox and vermin on
43 that land.

44 c. For purposes of this section "long gun" means any rifle,
45 shotgun, machine gun, automatic or semi-automatic rifle, or any
46 gun, device or instrument in the nature of a weapon from which
47 may be fired or ejected any solid projectable ball, slug, pellet,

1 missile or bullet, or any gas, vapor or other noxious thing, by means
2 of a cartridge or shell or by the action of an explosive or the
3 igniting of flammable or explosive substances. It shall also include,
4 without limitation, any firearm which is in the nature of an air gun,
5 spring gun or pistol or other weapon of a similar nature in which the
6 propelling force is a spring, elastic band, carbon dioxide,
7 compressed or other gas or vapor, air or compressed air, or is
8 ignited by compressed air, and ejecting a bullet or missile smaller
9 than three-eighths of an inch in diameter, with sufficient force to
10 injure a person.

11 (cf: P.L.2009, c.48, s.1)

12

13 5. This act shall take effect immediately.

14

15

16

17

18 Clarifies types of firearms allowed to be carried or transported
19 while hunting.

ASSEMBLY, No. 5495

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED MAY 11, 2023

Sponsored by:

Assemblyman JOE DANIELSEN
District 17 (Middlesex and Somerset)

Co-Sponsored by:

Assemblyman Rooney

SYNOPSIS

Allows person with carry permit to possess handgun while hunting.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/18/2023)

A5495 DANIELSEN

2

1 AN ACT concerning hunting with a firearm and amending R.S.23:4-
2 44, R.S.23:4-12, and R.S.23:4-13.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. R.S.23:4-44 is amended to read as follows:

8 23:4-44. **【Unless otherwise prescribed by the State Fish and**
9 **Game Code, no】** A person engaged in hunting for wild deer shall
10 only use or carry a **【rifle of any kind or description, or any】** firearm
11 **【or shotgun of a smaller caliber than 12 gauge, or load such firearm**
12 **or shotgun with a bullet or other missile larger than that commonly**
13 **known as buckshot, or have in possession】** as prescribed by the
14 State Fish and Game Code while engaged in hunting for deer during
15 the open season **【for killing deer any missile except buckshot or,**
16 **while engaged in hunting, have any missile larger than number 4**
17 **fine shot in possession at any time other than during the open**
18 **season for killing deer; provided, however, that nothing in this**
19 **section shall prevent the hunting of deer with a bow and arrow as**
20 **stated in this section and as otherwise provided by law and the State**
21 **Fish and Game Code; provided, that it】** .

22 It shall be unlawful, unless otherwise prescribed by the State
23 Fish and Game Code, for any person to **【have in his possession】**
24 possess or have under **【his】** the person's control any **【gun or**
25 **firearm】** shotgun or muzzleloader at any time while hunting deer
26 with bow and arrow **【, and no】** . A person shall not use or **【have in**
27 **his possession】** possess or have under **【his】** the person's control
28 while hunting any poison arrow **【,】** or an arrow with explosive tips
29 **【, or any bow drawn, held or released by mechanical means】**.

30 Nothing in this section shall prohibit a person engaged in hunting
31 for wild deer from carrying a handgun if that person has obtained a
32 permit to carry a handgun issued pursuant to N.J.S.2C:58-4 or is
33 otherwise authorized to carry a handgun at all times in this State
34 pursuant to N.J.S.2C:39-6, provided that the person does not use the
35 handgun to hunt wild deer. A person who has obtained a permit to
36 carry a handgun issued pursuant to N.J.S.2C:58-4 and carries a
37 handgun pursuant to this section shall maintain the permit on their
38 person in accordance with section 6 of P.L.2022, c.131 (C.2C:58-
39 4.5).

40 (cf: P.L.1957, c.193, s.3)

41

42 2. R.S.23:4-12 is amended to read as follows:

43 23:4-12 **【No】** A person, shall not kill, destroy or injure, pursue
44 with intent to kill or injure or in any manner attempt to take or

EXPLANATION – Matter enclosed in bold-faced brackets **【thus】 in the above bill is not enacted and is intended to be omitted in the law.**

Matter underlined thus is new matter.

1 injure, any anatidae commonly known as swans, geese, brant and
2 river and sea ducks; rallidae, commonly known as rails, gallinules,
3 coots and mud hens; limicolae, commonly known as shore birds,
4 surf snipe or bay snipe, among them being yellowlegs plovers,
5 willets, sandpipers, dowitchers or robin snipe, brown backs,
6 curlews, turnstones or calico backs, godwits or marlin, tittlers and
7 woodcocks; gallinae, commonly known as wild turkey, grouse,
8 prairie chickens, pheasants, partridge and quails; or any hare
9 commonly known as rabbit; gray, black or fox squirrels; or any
10 other game bird or game animal, except in the manner prescribed by
11 the provisions of the State Fish and Game Code, or, in the absence
12 of such provision in said code, except in the manner usually known
13 as hunting with a gun, the gun being not larger than ten gauge and
14 held at arm's length and fired from the shoulder without rest, or by
15 the use of long bow and arrow **[**, provided, however, it **]** .

16 The provisions of this section shall not prohibit a person from
17 carrying a handgun if that person has obtained a permit to carry a
18 handgun issued pursuant to N.J.S.2C:58-4 or is otherwise
19 authorized to carry a handgun at all times in this State pursuant to
20 N.J.S.2C:39-6, provided that the person does not use the handgun to
21 kill, destroy, or injure, pursue with intent to kill or injure, or in any
22 manner attempt to take or injure any game bird or game animal
23 protected under this section.

24 It shall be unlawful for any person while hunting any wild bird
25 or animal to have both a firearm and a bow and arrow in **[his]** the
26 person's possession or under **[his]** the person's control in the
27 woods or fields or on the water, **[under]** except for a handgun
28 which that person is authorized to carry in accordance with a permit
29 to carry issued pursuant to N.J.S.2C:58-4 or which that person is
30 otherwise authorized to carry at all times in this State pursuant to
31 N.J.S.2C:39-6. A person who has obtained a permit to carry a
32 handgun issued pursuant to N.J.S.2C:58-4 and carries a handgun
33 pursuant to this section shall maintain the permit on their person in
34 accordance with section 6 of P.L.2022, c.131 (C.2C:58-4.5).

35 A person who violates the provisions of this section shall be
36 subject to a penalty of **[\$20.00]** \$100 for each offense.
37 (cf: P.L.1971, c.252, s.1)

38

39 3. R.S.23:4-13 is amended to read as follows:

40 23:4-13 **[No]** A person shall not use in hunting any fowl or
41 animals of any kind any firearm except as permitted by the
42 provisions of the State Fish and Game Code, or, in the absence of
43 such provision in said code, except a shotgun being not larger than
44 ten gauge, and capable of holding not more than two cartridges at
45 one time, or that may be fired more than twice without reloading, or
46 use a silencer on any firearm when hunting for game or fowl, under

1 a penalty of ~~【twenty dollars (\$20.00)】~~ \$100 for each offense ~~【;~~
2 provided, however, that the ~~】~~ .

3 The provisions of this section shall not prohibit a person engaged
4 in hunting from carrying a handgun which that person is authorized
5 to carry in accordance with a permit to carry a handgun issued
6 pursuant to N.J.S.2C:58-4 or which that person is otherwise
7 authorized to carry at all times in this State pursuant to
8 N.J.S.2C:39-6, provided that the person does not use the handgun to
9 hunt any fowl or animals except as permitted by the provisions of
10 the State Fish and Game Code. A person who has obtained a permit
11 to carry a handgun issued pursuant to N.J.S.2C:58-4 and carries a
12 handgun pursuant to this section shall maintain the permit on their
13 person in accordance with section 6 of P.L.2022, c.131 (C.2C:58-
14 4.5).

15 The division in its discretion may issue permits for the use of a
16 rifle for shooting woodchucks only. ~~【No】~~ A person shall not have
17 any missile larger than as permitted by the provisions of the State
18 Fish and Game Code, or, in the absence of such provision in said
19 code, larger than number four shot in possession in the woods or
20 fields at any time other than during the open season for killing deer,
21 under a penalty of ~~【one hundred dollars (\$100.00)】~~ \$100 for each
22 offense.

23 (cf: P.L.1948, c.448, s.49)

24

25 4. This act shall take effect immediately.

26

27

28

STATEMENT

29

30 This bill allows persons who obtain a permit to carry a handgun
31 to possess the handgun while hunting. In addition, persons
32 authorized to carry a handgun at all times in this State as part of
33 their profession, such as law enforcement officers, also would be
34 permitted to carry a handgun while hunting. Under the bill, a
35 person carrying the handgun in accordance with current law would
36 be prohibited from hunting with the handgun.

37 Under current law, a person engaged in hunting is generally
38 prohibited from carrying a firearm of a smaller caliber than 10
39 gauge, which includes handguns. However, P.L.2022, c.131 was
40 recently enacted to remove from current law the justifiable need
41 standard, which was the standard an individual was required to meet
42 to hold a permit to carry a handgun in this State, in accordance with
43 a recent decision of the United States Supreme Court in New York
44 State Rifle & Pistol Association v. Bruen. As a result, a person may
45 obtain a permit to carry a handgun without being required to
46 demonstrate an urgent necessity for self-protection.

47 This bill allows a person who is authorized to carry a handgun at
48 all times in this State to possess that handgun while hunting,

A5495 DANIELSEN

5

1 provided the handgun is not used for the purpose of hunting. In
2 addition, the bill revises current law to provide that a person
3 engaged in hunting for wild deer is only to use or carry a firearm as
4 prescribed by the State Fish and Game Code while engaged in
5 hunting for deer during the open season. The bill also removes
6 from current law a restriction prohibiting bow hunting with a bow
7 drawn, held or released by mechanical means. Finally, the bill
8 increases from \$20 to \$100 the fine for unlawfully hunting certain
9 game animals and unlawfully hunting with a firearm with certain
10 characteristics.

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 5495

STATE OF NEW JERSEY

DATED: DECEMBER 4, 2023

The Assembly Judiciary Committee reports favorably an Assembly Committee Substitute for Assembly Bill No. 5495.

This committee substitute clarifies that a person engaged in hunting would not be permitted to use a firearm except as prescribed by the State Fish and Game Code. The substitute removes from current law a restriction prohibiting bow hunting with a bow drawn, held or released by mechanical means. In addition, the bill increases from \$20 to \$100 the fine for unlawfully hunting certain game animals and unlawfully hunting with a firearm with certain characteristics.

Finally, the substitute incorporates into certain provisions of current law a prohibition against carrying a “long gun” while hunting. Under the bill, the term “long gun” is to include all forms of firearms except for handguns, which may be carried in accordance with Title 2C of the New Jersey Statutes.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 5495

STATE OF NEW JERSEY

DATED: DECEMBER 18, 2023

The Senate Law and Public Safety Committee reports favorably Assembly Bill No. 5495 ACS.

This committee substitute clarifies that a person engaged in hunting would not be permitted to use a firearm except as prescribed by the State Fish and Game Code. The substitute removes from current law a restriction prohibiting bow hunting with a bow drawn, held or released by mechanical means. In addition, the bill increases from \$20 to \$100 the fine for unlawfully hunting certain game animals and unlawfully hunting with a firearm with certain characteristics.

Finally, the substitute incorporates into provisions of current law a prohibition against carrying a “long gun” while hunting. Under the bill, the term “long gun” is to include all forms of firearms except for handguns, which may be carried in accordance with Title 2C of the New Jersey Statutes.

As reported by the committee, Assembly Bill No. 5495 ACS is identical to the committee substitute for Senate Bill No. 3846 SCS, which was also reported by the committee on this date.

SENATE, No. 3846

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED MAY 15, 2023

Sponsored by:

Senator NICHOLAS P. SCUTARI

District 22 (Middlesex, Somerset and Union)

Senator ANTHONY M. BUCCO

District 25 (Morris and Somerset)

SYNOPSIS

Allows person with carry permit to possess handgun while hunting.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/18/2023)

1 AN ACT concerning hunting with a firearm and amending R.S.23:4-
2 44, R.S.23:4-12, and R.S.23:4-13.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. R.S.23:4-44 is amended to read as follows:

8 23:4-44. **【Unless otherwise prescribed by the State Fish and**
9 **Game Code, no】** A person engaged in hunting for wild deer shall
10 only use or carry a **【rifle of any kind or description, or any】** firearm
11 **【or shotgun of a smaller caliber than 12 gauge, or load such firearm**
12 **or shotgun with a bullet or other missile larger than that commonly**
13 **known as buckshot, or have in possession】** as prescribed by the
14 State Fish and Game Code while engaged in hunting for deer during
15 the open season **【for killing deer any missile except buckshot or,**
16 **while engaged in hunting, have any missile larger than number 4**
17 **fine shot in possession at any time other than during the open**
18 **season for killing deer; provided, however, that nothing in this**
19 **section shall prevent the hunting of deer with a bow and arrow as**
20 **stated in this section and as otherwise provided by law and the State**
21 **Fish and Game Code; provided, that it】** .

22 It shall be unlawful, unless otherwise prescribed by the State
23 Fish and Game Code, for any person to **【have in his possession】**
24 possess or have under **【his】** the person's control any **【gun or**
25 **firearm】** shotgun or muzzleloader at any time while hunting deer
26 with bow and arrow **【, and no】** . A person shall not use or **【have in**
27 **his possession】** possess or have under **【his】** the person's control
28 while hunting any poison arrow **【,】** or an arrow with explosive tips
29 **【, or any bow drawn, held or released by mechanical means】**.

30 Nothing in this section shall prohibit a person engaged in hunting
31 for wild deer from carrying a handgun if that person has obtained a
32 permit to carry a handgun issued pursuant to N.J.S.2C:58-4 or is
33 otherwise authorized to carry a handgun at all times in this State
34 pursuant to N.J.S.2C:39-6, provided that the person does not use the
35 handgun to hunt wild deer. A person who has obtained a permit to
36 carry a handgun issued pursuant to N.J.S.2C:58-4 and carries a
37 handgun pursuant to this section shall maintain the permit on their
38 person in accordance with section 6 of P.L.2022, c.131 (C.2C:58-
39 4.5).

40 (cf: P.L.1957, c.193, s.3)

41

42 2. R.S.23:4-12 is amended to read as follows:

43 23:4-12. **【No】** A person, shall not kill, destroy or injure, pursue
44 with intent to kill or injure or in any manner attempt to take or

EXPLANATION – Matter enclosed in bold-faced brackets **【thus】 in the above bill is not enacted and is intended to be omitted in the law.**

Matter underlined thus is new matter.

1 injure, any anatidae commonly known as swans, geese, brant and
2 river and sea ducks; rallidae, commonly known as rails, gallinules,
3 coots and mud hens; limicolae, commonly known as shore birds,
4 surf snipe or bay snipe, among them being yellowlegs plovers,
5 willets, sandpipers, dowitchers or robin snipe, brown backs,
6 curlews, turnstones or calico backs, godwits or marlin, tittlers and
7 woodcocks; gallinae, commonly known as wild turkey, grouse,
8 prairie chickens, pheasants, partridge and quails; or any hare
9 commonly known as rabbit; gray, black or fox squirrels; or any
10 other game bird or game animal, except in the manner prescribed by
11 the provisions of the State Fish and Game Code, or, in the absence
12 of such provision in said code, except in the manner usually known
13 as hunting with a gun, the gun being not larger than ten gauge and
14 held at arm's length and fired from the shoulder without rest, or by
15 the use of long bow and arrow **[**, provided, however, it **]** .

16 The provisions of this section shall not prohibit a person from
17 carrying a handgun if that person has obtained a permit to carry a
18 handgun issued pursuant to N.J.S.2C:58-4 or is otherwise
19 authorized to carry a handgun at all times in this State pursuant to
20 N.J.S.2C:39-6, provided that the person does not use the handgun to
21 kill, destroy, or injure, pursue with intent to kill or injure, or in any
22 manner attempt to take or injure any game bird or game animal
23 protected under this section.

24 It shall be unlawful for any person while hunting any wild bird
25 or animal to have both a firearm and a bow and arrow in **[his] the**
26 person's possession or under **[his] the person's** control in the
27 woods or fields or on the water, **[under] except for a handgun**
28 which that person is authorized to carry in accordance with a permit
29 to carry issued pursuant to N.J.S.2C:58-4 or which that person is
30 otherwise authorized to carry at all times in this State pursuant to
31 N.J.S.2C:39-6. A person who has obtained a permit to carry a
32 handgun issued pursuant to N.J.S.2C:58-4 and carries a handgun
33 pursuant to this section shall maintain the permit on their person in
34 accordance with section 6 of P.L.2022, c.131 (C.2C:58-4.5).

35 A person who violates the provisions of this section shall be
36 subject to a penalty of **[\$20.00] \$100** for each offense.
37 (cf: P.L.1971, c.252, s.1)

38

39 3. R.S.23:4-13 is amended to read as follows:

40 23:4-13.**[No]** A person shall not use in hunting any fowl or
41 animals of any kind any firearm except as permitted by the
42 provisions of the State Fish and Game Code, or, in the absence of
43 such provision in said code, except a shotgun being not larger than
44 ten gauge, and capable of holding not more than two cartridges at
45 one time, or that may be fired more than twice without reloading, or
46 use a silencer on any firearm when hunting for game or fowl, under

1 a penalty of **【twenty dollars (\$20.00)】** \$100 for each offense
2 **【provided, however, that the】** .

3 The provisions of this section shall not prohibit a person engaged
4 in hunting from carrying a handgun which that person is authorized
5 to carry in accordance with a permit to carry a handgun issued
6 pursuant to N.J.S.2C:58-4 or which that person is otherwise
7 authorized to carry at all times in this State pursuant to
8 N.J.S.2C:39-6, provided that the person does not use the handgun to
9 hunt any fowl or animals except as permitted by the provisions of
10 the State Fish and Game Code. A person who has obtained a permit
11 to carry a handgun issued pursuant to N.J.S.2C:58-4 and carries a
12 handgun pursuant to this section shall maintain the permit on their
13 person in accordance with section 6 of P.L.2022, c.131 (C.2C:58-
14 4.5).

15 The division in its discretion may issue permits for the use of a
16 rifle for shooting woodchucks only. **【No】** A person shall not have
17 any missile larger than as permitted by the provisions of the State
18 Fish and Game Code, or, in the absence of such provision in said
19 code, larger than number four shot in possession in the woods or
20 fields at any time other than during the open season for killing deer,
21 under a penalty of **【one hundred dollars (\$100.00)】** \$100 for each
22 offense.

23 (cf: P.L.1948, c.448, s.49)

24

25 4. This act shall take effect immediately.

26

27

28

STATEMENT

29

30 This bill allows persons who obtain a permit to carry a handgun
31 to possess the handgun while hunting. In addition, persons
32 authorized to carry a handgun at all times in this State as part of
33 their profession, such as law enforcement officers, also would be
34 permitted to carry a handgun while hunting. Under the bill, a
35 person carrying the handgun in accordance with current law would
36 be prohibited from hunting with the handgun.

37 Under current law, a person engaged in hunting is generally
38 prohibited from carrying a firearm of a smaller caliber than 10
39 gauge, which includes handguns. However, P.L.2022, c.131 was
40 recently enacted to remove from current law the justifiable need
41 standard, which was the standard an individual was required to meet
42 to hold a permit to carry a handgun in this State, in accordance with
43 a recent decision of the United States Supreme Court in New York
44 State Rifle & Pistol Association v. Bruen. As a result, a person may
45 obtain a permit to carry a handgun without being required to
46 demonstrate an urgent necessity for self-protection.

47 This bill allows a person who is authorized to carry a handgun at
48 all times in this State to possess that handgun while hunting,

1 provided the handgun is not used for the purpose of hunting. In
2 addition, the bill revises current law to provide that a person
3 engaged in hunting for wild deer is only to use or carry a firearm as
4 prescribed by the State Fish and Game Code while engaged in
5 hunting for deer during the open season. The bill also removes
6 from current law a restriction prohibiting bow hunting with a bow
7 drawn, held or released by mechanical means. Finally, the bill
8 increase from \$20 to \$100 the fine for unlawfully hunting certain
9 game animals and unlawfully hunting with a firearm with certain
10 characteristics.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR SENATE, No. 3846

STATE OF NEW JERSEY

DATED: DECEMBER 18, 2023

The Senate Law and Public Safety Committee reports favorably a Senate Committee Substitute for Senate Bill No. 3846.

This committee substitute clarifies that a person engaged in hunting would not be permitted to use a firearm except as prescribed by the State Fish and Game Code. The substitute removes from current law a restriction prohibiting bow hunting with a bow drawn, held or released by mechanical means. In addition, the bill increases from \$20 to \$100 the fine for unlawfully hunting certain game animals and unlawfully hunting with a firearm with certain characteristics.

Finally, the substitute incorporates into provisions of current law a prohibition against carrying a “long gun” while hunting. Under the bill, the term “long gun” is to include all forms of firearms except for handguns, which may be carried in accordance with Title 2C of the New Jersey Statutes.

As reported by the committee, the committee substitute for Senate Bill No. 3846 SCS is identical to Assembly Bill No. 5496 ACS, which was also reported by the committee on this date.

Governor Murphy Takes Action on Legislation

01/16/2024

TRENTON – Today, Governor Murphy signed the following bills into law:

SCS for S-281/ACS for A-3791 (Greenstein, Turner/Sumter, Reynolds-Jackson) – w/STATEMENT - Concerns automatic fire sprinkler systems within newly constructed townhouses

[Copy of Statement](#)

S-539wGR/A-2140 (Ruiz, Pou/Reynolds-Jackson, Wimberly, Mosquera) - Permits online purchase of eligible foods using WIC funds and use of WIC funds for grocery delivery charges

S-659/A-2014 (Oroho, Greenstein/Conaway, Wirths, Umba) - “Manufacturing in Higher Education Act”; requires various State entities to promote manufacturing career pathways for students and provides assistance to manufacturing industry

S-1110/A-3936 (Polistina, Singleton/Guardian, Swift, McClellan) - Authorizes CRDA to finance transportation projects between Atlantic City Airport and Atlantic City Tourism District

S-1662/A-3526 (Ruiz, Codey/Lampitt, Benson, Saucikie) - Requires NJ Youth Suicide Prevention Advisory Council to prepare report regarding suicide prevention instruction in public schools

S-1680wGR/A-2257 (Pou, Ruiz/Murphy, Quijano, Wimberly) - Designates each community college in State as provider of allowable services under SNAP employment and training program

S-2076/ACS for A-3319 (Zwicker, Greenstein/McKnight, Lampitt) - Establishes “Twelfth Grade Postsecondary Transition Year Pilot Program” in Department of Education

S-2535wGR/A-4048 (Polistina, Pou/Benson, McKnight, Reynolds-Jackson, Carter) - Requires health benefits coverage of hearing aids and cochlear implants

S-2841/A-4292 (Scutari, Bramnick/Carter) - Raises minimum amount of liability coverage for commercial motor vehicles and autocabs

SCS for S-3080/ACS for-398 (Ruiz, Burgess/Caputo, Giblin, Tucker) - Establishes position of Youth Disconnection Prevention and Recovery Ombudsperson; establishes “School Disconnection Prevention Task Force”; appropriates \$200,000

S-3102/A-4715 (Smith, Singleton/Stanley, Benson) - Establishes uptime requirement for electric vehicle charging station incentive programs

S-3176/A-4760 (Greenstein, Smith/Swain, Haider, Tully) - Requires DEP and Drinking Water Quality Institute to perform study concerning regulation and treatment of perfluoroalkyl and polyfluoroalkyl substances

SCS for S-3632 and 3649w/GR/ACS for A-1948 (Johnson, Cryan/Haider, Conaway, Quijano) - Requires labeling of non-flushable disposable wipes

S-3758/A-5343 (Cryan/Karabinchak) - Changes deadline for unaffiliated mail-in voters to declare their political party before primary election

S-3837/A-5438 (Pou, Cruz-Perez/Pintor Marin, Wimberly) - Clarifies process for administrative appropriations to UEZs

S-3897/A-5578 (Ruiz, Sarlo/Jasey, Carter, Reynolds-Jackson) - Authorizes Higher Education Student Assistance Authority to award annual summer tuition aid grants

S-4040/A-5881 (Polistina, Lagana/Tully, Guardian, Swift) - Concerns jurisdiction and operations of regional municipal courts

S-4084/A-5851 (Ruiz, Cruz-Perez/Moriarty, Calabrese, Moen) - Concerns temporary registration certificates and license plates

S-4130/A-5849 (Codey/Jasey, Tucker) - Special legislation to change name of “Township of South Orange Village” to “South Orange Village”; changes titles of certain municipal officials; permits nonpartisan municipal elections to be moved to November; permits stipend for governing body members

S-4206/A-5856 (Sarlo/Calabrese) - Changes number of signatures required on primary election petition to nominate certain municipal candidates in certain municipalities

S-4209/A-5879 (Sarlo/Pintor Marin) - Eliminates vote on school budgets for Type II school districts in April elections, except for separate proposals to spend above cap

S-4268/A-5911 (Scutari/Danielsen) - Permits certain special State officers to represent cannabis businesses

A-203/S-2884 (Rooney, Benson, Caputo/A.M. Bucco) - Authorizes creation of special license plates commemorating horse as State animal

A-1100/S-995 (Calabrese, Mukherji, McKnight/Ruiz, Stack) - Requires entities to remove abandoned lines and mark information on certain lines

A-1107/S-770 (Chaparro, Murphy, Mukherji/Pou, Beach) - Directs Chief Technology Officer to conduct study on impacts of redacting handwritten signatures published on State websites; allows for protocols for such redactions to be established by rules and regulations

ACS for A-1255/SS for S-1794 (Stanley, Conaway, Benson/Gopal, Singer) - Updates requirements and standards for authorization and prior authorization of health care services

A-1727/S-3300 (Speight, Reynolds-Jackson, Verrelli/Stanfield, Ruiz) - Requires Attorney General to perform outreach and provide services to victims of human trafficking under certain circumstances

A-1729/S-3550 (Speight, Reynolds-Jackson, McKnight/Greenstein, Ruiz) - Requires AG to address human trafficking in underserved communities

A-1755/S-2505 (McKeon, Calabrese, Conaway/Smith, Greenstein) - Requires installation of operational automatic rain sensor or smart sprinkler as condition of sale of certain real properties, and on certain commercial, retail, and industrial properties and common interest communities within specified timeframes

A-2146wGR/S-855 (Reynolds-Jackson, Wimberly, Sumter/Singleton, Beach) - Creates State business assistance program to establish contracting agency procurement goals for socially and economically disadvantaged business enterprises

A-2581/S-2503 (Lampitt, Park/Beach) - Provides that certain cosmetology and hairstyling courses may be taught using distance learning technology

A-3142/S-1564 (Moen, Moriarty, Benson/Singleton, Corrado) - Authorizes grants to purchase and rehabilitate abandoned homes for homeless veterans

A-3211/S-2302 (Speight, Haider, Swain/Gopal, Ruiz) - Establishes “New Jersey Feminine Hygiene Products for the Homeless Act”

A-3980/S-2706 (Speight, McKnight, Atkins/Zwicker, Turner) - Grants child placed in resource family care and resource family parents the right to be notified when case manager or supervisor is assigned to child; grants child in resource family care right to be notified of certain property and benefits

A-4033wGR/S-2657 (Coughlin, Wimberly/Sarlo, Ruiz) - Extends deadline for completion of school district’s annual audit

A-4049/S-3495 (McKnight, Reynolds-Jackson, Benson/Vitale, Johnson) - Provides for presumptive eligibility for home and community-based services and services provided through program of all-inclusive care for the elderly under Medicaid

A-4105/S-4202 (Lopez, Jimenez, Quijano/Vitale, Turner) - Establishes Interagency Council on Homelessness

A-4183/S-4264 (Haider/Singleton) - Concerns local unit filing requirement for certain shared services agreements

A-4212/S-2762 (Pintor Marin, Reynolds-Jackson, Verrelli/Ruiz, Cunningham) - Establishes Center for Career Relevant Education and Talent Evaluation of New Jersey at Thomas Edison State University

A-4337/S-4156 (Conaway, Atkins, Rooney/Singleton, Pou) - Requires Department of Health to provide information to Statewide 2-1-1 telephone system regarding the location of safe disposal sites for hypodermic syringes and needles and prescription drugs

ACS for A-4496/SCS for S-3247 (Coughlin, Lampitt, Karabinchak, Wimberly/Zwicker, Greenstein) - Revises various provisions of law governing construction of school facilities projects and operations of New Jersey Schools Development Authority; establishes "Charter School and Renaissance School Project Facilities Loan Program" in EDA

A-4522/S-3234 (Moen, McKnight, Quijano/Singer, Singleton) - Requires certain disclosures by sellers of single-family homes with solar panels installed

A-4691/S-1530 (Swain, DeAngelo, Speight/Greenstein, Zwicker) - Requires hazard mitigation plans to include climate change-related threat assessments and hazard prevention and mitigation strategies

A-4723/S-2740 (McKeon, Moriarty, Rooney/Codey, Scutari) - Requires motor vehicle dealer to offer to delete personal information in motor vehicles in certain situations

A-4791/S-3184 (Kennedy, Haider, McKeon/Diegnan, Sarlo) - Establishes "Resiliency and Environmental System Investment Charge Program"

ACS for A-4794/S-3224 (Benson, Mukherji/Singleton, Turner) - Requires request for proposal to establish demonstration projects to develop electric vehicle charging depots serviced by distributed energy resource charging centers for certain electric vehicle use

A-4814/S-1023 (Moen, Wimberly/Singleton, Gopal) - Removes expected family contribution from calculation of financial need under circumstances in which public institutions of higher education may reduce student's institutional financial aid

ACS for A-4821 and 4823wGR/S-3283 (Karabinchak, Conaway, Schaer/Greenstein, Zwicker) - Directs DEP to take certain actions concerning identification and testing of microplastics in drinking water, and requires DEP and BPU to study and promote use of microplastics removal technologies

A-4955/S-3531 (S. Kean, Thomson/Singer, Gopal) - Designates portion of State Highway Route 71 as "John Tarantino Highway"

A-5094/S-3476 (Spearman/Beach, Greenstein) - Concerns licensing of security officer companies

A-5227/S-3662 (Danielsen, Space/Smith, Oroho) - Expands eligibility for "fishing buddy license" fee

A-5285/SCS for S-3708 (Greenwald, Haider, Lopez/Greenstein, A.M. Bucco) - Requires copies of certain law enforcement records to be provided to victims of domestic violence upon request

A-5293/S-3746 (Greenwald, McKnight, Rooney/Gopal, Ruiz) - Concerns New Jersey Civic Information Consortium

A-5311/S-3061 (Verrelli, McKnight, Matsikoudis/Stanfield, Turner) - Enters New Jersey into Counseling Compact

A-5391/S-3765 (DeAngelo/Diegnan, Corrado) - Imposes conditions on drivers approaching disabled vehicles

A-5412/S-3850 (Greenwald, Swain, Jasey/Gopal, Singer) - Establishes nonpublic school transportation program to provide funding to consortiums of nonpublic schools that will assume responsibility for mandated nonpublic school busing

A-5416wGR/S-3883 (Wimberly, Giblin, Haider/Greenstein, Turner) - Requires State Board of Education to authorize alternate route to expedite teacher certification of persons employed as paraprofessionals in school districts

A-5442/S-3793 (Karabinchak, Conaway, McKeon/Smith, Greenstein) - Directs BPU to conduct study to determine feasibility, marketability, and costs of implementing large-scale geothermal heat pump systems in State

A-5462/S-3867 (Coughlin, McKnight, Speight/Vitale, Turner) - Revises law establishing Office of Food Security Advocate, and establishes certain conditions for use of monies appropriated to emergency food organizations

ACS for A-5495/SCS for S-3846 (Danielsen/Scutari, A.M. Bucco) - Clarifies types of firearms allowed to be carried or transported while hunting

A-5516/S-4047 (Reynolds-Jackson, Verrelli, Conaway/Burgess, Turner) - Requires certain health care professionals to undergo bias training

A-5565/S-3971 (S. Kean, Thomson/Gopal) - Provides that 10-year term does not apply to lease of certain municipal properties unless they are waterfront properties or related to waterfront concessions

A-5567/S-3807 (Torrissi, Calabrese/A.M. Bucco, Sarlo) - Extends period of usefulness of fire engines for bonding purposes from 10 to 20 years; eliminates exclusion of passenger cars and station wagons

A-5582/S-3781 (Swain, Simonsen/Lagana, Cryan) - Establishes grant program for NJ YouthBuild programs through DOLWD; makes appropriation

A-5610wGR/S-3954 (Greenwald, Spearman, Chaparro/Beach, A.M. Bucco) - Revises penalties for possession or consumption of alcoholic beverages by underage persons

A-5748/S-4166 (Spearman, Moen, Moriarty/Cruz-Perez, Madden) - Amends definition of "participating county" under County Option Hospital Fee Program

A-5755/S-4183 (Carter, Sumter, Wimberly, Quijano/Scutari, Singleton) - Enhances notice requirements and occupancy restrictions for hotels and multiple dwellings following determination of potentially hazardous condition

A-5799/S-1472 (Moen, Moriarty/Beach, Stack) - Authorizes DOT to establish and administer toll collection and enforcement system on behalf of NJ toll authorities and to enter into reciprocal agreements for enforcement of toll violations with toll authorities from other states

A-5806/S-4165 (Moriarty, Sauickie/Greenstein, Oroho) - Appropriates \$48 million from constitutionally dedicated CBT revenues to DEP for State acquisition of lands for recreation and conservation purposes, including Blue Acres projects, and Green Acres Program administrative costs

A-5807/S-4138 (Freiman/Johnson, Schepisi) - Appropriates \$58 million from constitutionally dedicated CBT revenues for recreation and conservation purposes to DEP for State capital and park development projects

A-5808/S-4135 (Park, Freiman, Lopez/Beach, Turner) - Appropriates \$15,564,293 from constitutionally dedicated CBT revenues to NJ Historic Trust for grants for certain historic preservation projects and associated administrative expenses

A-5809/S-4097 (Swain, Lopez, Sauickie/Zwicker, Gopal) - Amends lists of projects eligible to receive loans for environmental infrastructure projects from NJ Infrastructure Bank for FY 2024

A-5810/S-4098 (Sampson, Sauickie, Lopez/Greenstein, Stanfield) - Amends lists of environmental infrastructure projects approved for long-term funding by DEP under FY 2024 environmental infrastructure funding program

A-5828/S-4201 (Lopez/Vitale) - Authorizes State Treasurer to sell as surplus certain real property and improvements in Township of Woodbridge in Middlesex County

A-5835/S-4134 (Greenwald, Lampitt/Beach, Turner) - Authorizes regional authority to develop and operate regional rehabilitation and reentry center

A-5836/S-4212 (DeAngelo, Sumter, Wimberly/Gopal, Greenstein) - Makes supplemental appropriation of \$650,000 to New Jersey Division of State Police for trooper recruitment and retention

A-5910/S-4266 (Egan/Codey) - Increases annual salary of certain public employees and officers

AJR-200/SJR-138 (Park, Freiman, Calabrese/Lagana) - Designates November 22 of each year as Kimchi Day

Governor Murphy pocket vetoed the following bills:

S-2989/A-1739 (Pou, Singer/McKeon, Quijano, Flynn) - Makes certain for-profit debt adjusters eligible for licensing to conduct business in State

S-3172/A-4689 (Gopal, Turner/Lampitt, Matsikoudis, McKnight) - Establishes teacher certification route for candidates with Montessori teaching credentials

- S-3287/ACS for A-4852 and 1170 (Turner/Reynolds-Jackson, Jasey, Dunn, Wimberly, Calabrese, Spearman, Verrilli)** - Requires institutions of higher education to maintain supply and develop policy governing use of naloxone hydrochloride nasal spray for opioid overdose emergencies
- A-1476/S-930 (Benson, Dancer/Holzapfel, Diegnan)** - Exempts certain motor vehicles that are owned by certain nutrition programs and certain nonprofit organizations that offer social services from motor vehicle registration fees
- A-3642/S-665 (Wirhths, Murphy, Benson, Oroho/Greenstein)** - Requires MVC to place designation on motor vehicle's registration information indicating registrant is deaf
- A-3945/S-1660 (Quijano, Reynolds-Jackson, Carter/Ruiz, Singleton)** - Establishes "Male Teachers of Color Mentorship Pilot Program"; appropriates \$95,000
- A-4177/S-2478 (Mosquera, Swain, McKnight, Tucker, Dunn/Ruiz, Vitale)** - Extends duration of law requiring certain provider subsidy payments for child care services be based on enrollment
- A-4396/S-2927 (Lampitt, Jasey, Caputo/Codey)** - Establishes timelines for review and approval by Commissioner of Education of annual certified audits submitted by approved private schools for students with disabilities
- A-4621/S-3156 (Mosquera, Greenwald, Swain/Madden)** - Requires issuance of report on certain information and data on processing of applications for professional and occupational licenses and mandates review of training and call intake in Division of Consumer Affairs.
- A-4740/S-2970 (Mukherji, DeAngelo, McKnight/Cruz-Perez, Turner)** - Provides employee access to employee's employment records on file with DOLWD
- A-5294/S-1825 (Greenwald, Swain, Rooney/Steinhardt, Sarlo, Doherty)** - Exempts sales of investment metal bullion and investment coins from sales and use tax
- A-5893/S-4228 (Karabinchak, Calabrese, Sauckie/Gopal, Sarlo)** - Extends annual horse racing purse subsidies through State fiscal year 2029