

2014 -- H 7344

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LC003932
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

A N A C T

RELATING TO FISH AND WILDLIFE - DEER HUNTING

Introduced By: Representatives Walsh, Costantino, Chippendale, and Bennett

Date Introduced: February 06, 2014

Referred To: House Environment and Natural Resources

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 20-15-2 of the General Laws in Chapter 20-15 entitled "Deer
2 Hunting" is hereby amended to read as follows:

3 **20-15-2. Deer permits.** -- (a) No person shall hunt deer within this state unless that
4 person possesses a deer tag. Any resident or non-resident holder of a hunting license or
5 combination license may obtain a shotgun, muzzle loading rifle, or crossbow, or archery deer tag
6 from the director. The deer permit shall be carried at all times by the person to whom it is issued
7 while hunting for deer. Any person who takes a deer in this state shall immediately affix his or
8 her tag portion of his or her deer permit to the carcass of the taken deer, and, within twenty-four
9 (24) hours of the taking, convey the deer to an environmental police officer or other designee of
10 the department, or to a deer check station, if one is in operation at the time, for checking. Any
11 dead deer found not having a tag attached to it identifying the owner shall be the property of the
12 state and shall be seized by any environmental police officer who finds or locates the carcass, to
13 be disposed of by direction of the director.

14 [Farmers, as defined in § 20-15-3, who are protecting their crops, vegetables or fruit trees](#)
15 [need not obtain deer tags or a hunting license to shoot deer.](#)

16 (b) Crossbow permits. - Crossbow permits may be issued by the department to those
17 persons who have a permanent physical impairment due to injury or disease, congenital or
18 acquired, which renders them so severely disabled as to be unable to use a conventional bow and
19 arrow device. Said permits will be issued by the department only after the receipt of a physician's

1 statement confirming the applicant is impaired as referred to above. All permittees must have
2 taken and successfully completed both hunter education and bow hunter education classes prior to
3 the issuance of a permit.

4 SECTION 2. Section 20-15-3 of the General Laws in Chapter 20-15 entitled "Deer
5 Hunting" is hereby amended to read as follows:

6 **20-15-3. Permit to landowner to protect property.** -- (a) Any person owning or
7 occupying any property and any employee of that person, while on that person's premises, may
8 kill any deer found destroying any crops, vegetables, or fruit trees, or otherwise causing damage
9 to that property; provided, however, that this person shall not kill any deer unless he or she has
10 obtained a permit from the director to do so. The director, on application, may issue the permit to
11 any responsible owner or the owner's employee, provided that no such permit shall be issued until
12 the director has determined that actual damage has been done to crops, vegetables, fruit trees, or
13 other property by any deer, and that no practical alternative to the shooting of the deer is
14 available. This permit shall be issued on an annual basis at a fee of twenty-five dollars (\$25.00).
15 Any person taking or wounding a deer under the permit shall report the taking or wounding to a
16 conservation officer or other designee of the director within twenty-four (24) hours of the taking
17 or wounding.

18 Farmers shall not be required to obtain a permit pursuant to this section, but shall be
19 required to notify the chief of the division of agriculture of their intent to kill deer harming their
20 crops.

21 For purposes of this chapter, a farmer shall be defined as any individual who has obtained
22 a Level 1 or Level 2 sales tax exempt certificate from the Rhode Island division of taxation for
23 their farm. Nothing in this section shall be construed as exempting farmers from compliance with
24 any and all existing laws, rules, and regulations relating to the use of firearms and hunting.

25 (b) Hunting shall only be permitted from one half (1/2) hour before sunrise to one half
26 (1/2) hour after sunset; provided that the director, subject to terms and conditions to be set forth
27 by regulation, may authorize hunting at other times on farmlands; and further provided, that these
28 farms have experienced severe deer damage to a cash crop or crops, and have attempted
29 unsuccessfully other reasonable means of controlling the damage, including daylight hunting; and
30 provided further, that the director determines whether these farmlands are of sufficient size to
31 support night hunting without endangering the public safety. A night hunting permit may be
32 issued by the director to any responsible owner or the owner's employee, provided that no such
33 permit shall be issued until the director has determined that actual damage has been done to
34 crops, vegetables, fruit trees, or other property by any deer, and that no practical alternative to the

1 shooting of the deer is available. This permit shall be issued on an annual basis at a fee of twenty-
2 five dollars (\$25.00).

3 (c) Under the authority of the director, the division of agriculture shall be responsible for
4 administering the provisions of this section as they relate to farmers, and may also be responsible
5 for administering this section as it relates to other landowners.

6 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would allow farmers to protect their crops by hunting and possessing deer
2 without first obtaining deer tags or a hunting license. This act would also allow farmers to kill any
3 deer found destroying crops, vegetables, or fruit trees without first obtaining a permit to do so,
4 provided that said farmer has previously notified the chief of the division of agriculture at their
5 intent.

6 This act would take effect upon passage.

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