



To: Senate Law and Public Safety
Office of Legislative Services
P.O. Box 068
Trenton, NJ 08625

Re: Assembly Bill 5495 – Handgun Possession Permit

Position: Support

Date: 12/18/2023

Honorable Chairperson Greenstein, Vice-Chair Sacco, and Members of the Senate Law and Public Safety Committee,

My name is Kaleigh Leager, and I am the Senior Coordinator, Mid-Atlantic States for the Congressional Sportsmen’s Foundation (CSF). I respectfully urge you to vote favorably on New Jersey Assembly Bill (AB) 5495. In the Garden State, a hunter is currently prohibited from possessing any type of firearm while archery hunting for game during archery seasons. Assembly Bill 5495 seeks to clarify that specific types of firearms (long guns) will continue to be prohibited (to possess or utilize) while hunting game within the regulated archery seasons. In addition, AB 5495 lifts the prohibition of the possession of handguns while archery hunting.

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

The right to personal protection should not be relinquished once a bowhunter enters the field; NJ AB 5495 seeks to fix this. Archery hunters are at a great disadvantage in self-defense related situations due to the limitations of archery equipment. Therefore, it is especially important that

bowhunters be permitted to carry a handgun while afield. New Jersey is home to a growing black bear population, which poses a threat to bowhunters who, although possessing adequate equipment for most hunting situations, are underequipped to properly defend themselves should an attack occur. Another example is the horrific slaying of a New Jersey hunter in December of 2021. According to the Courier Post Online, the hunter was brutally murdered while hunting at a Boy Scout Reservation in South Jersey.

37 states have successfully enacted legislation or regulations permitting the carry of a handgun while archery hunting, including:

- **Louisiana [R.S. 56:116.1 \(E\)](#)**: “Bow hunters may carry any caliber of firearm on their person, while hunting with a bow. The provisions of this Subsection shall in no way be interpreted to limit the ability of the department to regulate hunting activities in a wildlife management area in accordance with R.S. 56:109.”¹
- **Vermont [Title 10, chapter, 105, §4252](#)**: “[T]he holder of an archery license or a super sport license may possess a handgun while archery hunting, provided that the license holder shall not take game by firearm while archery hunting. As used in this section, “handgun” means a pistol or revolver which will expel a projectile by the action of an explosive.”²
- **Missouri [Title 3, chapter 7, §10-7.432](#)**: “Any person who has been issued a concealed carry endorsement on a driver license or non-driver license and such endorsement or license has not been suspended, revoked, canceled, or denied may carry concealed firearms on or about his/her person while hunting.”³

In closing, CSF commends the bill sponsor for seeking to clarify the legislative language for common knowledge by specifying what firearms are prohibited from possession during archery hunting seasons, in addition to recognizing the importance of safety and self-protection for hunters. With this, I respectfully request a favorable report on New Jersey Assembly Bill 5495.

Sincerely,



Kaleigh E. Leager

Senior Coordinator, Mid-Atlantic States | Congressional Sportsmen’s Foundation

110 North Carolina Ave, SE | Washington, DC 20003

kleager@congressionalsportsmen.org | 202-543-6850 X 20

¹ “RS 56:116.1,” *Louisiana State Legislature*, accessed June 13, 2022, <https://legis.la.gov/Legis/Law.aspx?d=104867>.

² “2012 Vermont Statutes: Title 10 Conservation and Development: Chapter 105 LICENSES: § 4252 Activities Permitted under Licenses,” *Justia Law*, accessed June 13, 2022, <http://law.justia.com/codes/vermont/2012/title10/chapter105/section4252>.

³ “Rules of Department of Conservation Division 10: Conservation Commission Chapter 7: Wildlife Code: Hunting: Seasons, Methods, Limits,” *Missouri State Legislature*, accessed June 13, 2022, <http://www.sos.mo.gov/cmsimages/adrules/csr/previous/3csr/3csr0406/3c10-7.pdf>.

Handgun Carry While Archery Hunting

Introduction

The right to personal protection should not be relinquished once a bowhunter enters the field. Archery hunters are at a great disadvantage in self-defense related situations due to the limitations of archery equipment. Therefore, it is especially important that bowhunters be permitted to carry a handgun while afield. Many regions of the United States are inhabited by large predators such as bears, wolves, and mountain lions, which pose a threat to bowhunters who are underequipped to properly defend themselves should an attack occur. Additionally, a prevalence in backcountry illegal drug operations on public lands has dramatically increased the possibility for dangerous encounters while afield. This has been particularly prevalent in western states where illegal marijuana grows on public lands have become more common.

Points of Interest

- In June 2015, a group of bow hunters were travelling down a river in Alaska in a small raft and came across a group of brown bear cubs. While attempting to scare the cubs off, the mother charged the raft and, with only 8 feet between her and the bow hunters, a bow hunter on the raft quickly fired a round from his revolver into the water in front of the bear, stopping the charge. The hunter's ability to legally carry a handgun stopped the attack and potentially saved their lives, and the bear's life, as well.⁴
- In September 2012, an Idaho bow hunter was attacked by a grizzly bear while tracking an elk. The bear charged the hunter and the man suffered severe bite injuries to his shoulder.
- Millions of marijuana plants are illegally grown every year on public lands across the United States. 12 million plants were seized in California on National Forest Service Land alone from 2008-2012.⁵ Many of the arrests made relating to these grows include members of organized crime groups who are often armed and dangerous.⁶
- In 2016, two archery hunters on public land in Utah found themselves in the line of fire of a man who was drinking and under the influence of drugs.⁷ The men were forced to retreat and call the authorities.⁸
- In October 2010, a Michigan bow hunter was attacked in his tree stand by a family of bears, sustaining injuries to his legs, shoulder, and back.⁹

⁴ Alpert, Matt, "The Only Thing Between These Bowhunters and a Charging Bear Is Their Tiny Raft," *Wide Open Spaces*, accessed June 13, 2022, <http://www.wideopenspaces.com/bear-charges-bow-hunter-raft-video/>.

⁵ Elyce Kirchner, Julie Putnam, and Jeremy Carroll, "Violence from Pot Farms on Public Land," *NBC Bay Area*, accessed June 13, 2022, <http://www.nbcbayarea.com/investigations/Violence-from-Pot-Farms-on-Public-Land-232943341.html>.

⁶ *Ibid.*

⁷ *Ibid.*

⁸ *Ibid.*

⁹ "Michigan Deer Hunter Attacked by Bears in Treestand," *Field & Stream*, last modified October 12, 2010, accessed June 13, 2022, <http://www.fieldandstream.com/blogs/hunting/2010/10/michigan-deer-hunter-attacked-bears-treestand>.

- In 2016, two bow hunters in Montana were hospitalized after being attacked by grizzly bears. The attacks occurred on the same weekend and in the same area. Both hunters were tracking elk and not able to defend themselves. Bow hunters in this area are extremely vulnerable to attacks because of the dense grizzly bear population.¹⁰
- In August of 2018, a bowhunter in Utah had just started his elk hunt when he was attacked by a mountain lion. The hunter was able to get one arrow off but missed. The mountain lion then knocked the hunter to the ground. The mountain lion reportedly lunged at the hunter multiple times during the extent of the encounter. Fortunately, the hunter suffered only minor wounds but stated that he will be carrying a handgun, while afield, from now on.¹¹

Language

37 states have successfully enacted legislation or regulations permitting the carry of a handgun while archery hunting,¹² including:

- **Louisiana [R.S. 56:116.1 \(E\)](#)**: “Bow hunters may carry any caliber of firearm on their person, while hunting with a bow. The provisions of this Subsection shall in no way be interpreted to limit the ability of the department to regulate hunting activities in a wildlife management area in accordance with R.S. 56:109.”¹³
- **Vermont [Title 10, chapter, 105, §4252](#)**: “[T]he holder of an archery license or a super sport license may possess a handgun while archery hunting, provided that the license holder shall not take game by firearm while archery hunting. As used in this section, “handgun” means a pistol or revolver which will expel a projectile by the action of an explosive.”¹⁴
- **Missouri [Title 3, chapter 7, §10-7.432](#)**: “Any person who has been issued a concealed carry endorsement on a driver license or non-driver license and such endorsement or license has not been suspended, revoked, canceled, or denied may carry concealed firearms on or about his/her person while hunting.”¹⁵

Moving Forward

¹⁰ “Two Montana Bowhunters Injured in Grizzly Bear Attacks,” *Spokesman.com*, accessed June 13, 2022, <http://www.spokesman.com/blogs/outdoors/2016/sep/28/two-montana-bowhunters-injured-grizzly-bear-attacks/>.

¹¹ “Mountain Lion Attacks Bowhunter” *Bowhunting.com*, accessed June 13, 2022, <https://www.bowhunting.com/blog/2018/08/21/mountain-lion-attacks-bowhunter/>.

¹² State and Territorial Fish and Wildlife Offices,” *U.S. Fish and Wildlife Service*, accessed June 13, 2022, <https://www.fws.gov/offices/statelinks.html>.

¹³ “RS 56:116.1,” *Louisiana State Legislature*, accessed June 13, 2022, <https://legis.la.gov/Legis/Law.aspx?d=104867>.

¹⁴ “2012 Vermont Statutes: Title 10 Conservation and Development: Chapter 105 LICENSES: § 4252 Activities Permitted under Licenses,” *Justia Law*, accessed June 13, 2022, <http://law.justia.com/codes/vermont/2012/title10/chapter105/section4252>.

¹⁵ “Rules of Department of Conservation Division 10: Conservation Commission Chapter 7: Wildlife Code: Hunting: Seasons, Methods, Limits,” *Missouri State Legislature*, accessed June 13, 2022, <http://www.sos.mo.gov/cmsimages/adrules/csr/previous/3csr/3csr0406/3c10-7.pdf>.

States that prohibit sportsmen and women from carrying handguns while archery hunting put the personal safety and physical well-being of their hunters at risk. Legislators should support legislation that ensures the right of bow hunters to carry a handgun while afield.