
OLR Bill Analysis

sSB 1523

AN ACT CONCERNING THE TAKING OF WILDLIFE THAT DAMAGE CROPS OR BLACK BEAR THAT INJURE OR KILL LIVESTOCK.

SUMMARY

This bill allows a person to use deadly physical force to kill a bear if the person reasonably believes the bear is injuring or killing the person's controlled livestock. The law already allows a person to kill a bear when the person reasonably believes the bear is (1) inflicting, or about to inflict, great bodily harm to a person; (2) injuring or killing the person's controlled pet; or (3) entering an occupied building.

The bill also revises the conditions under which the Department of Energy and Environmental Protection (DEEP) commissioner may issue a permit to take (e.g., kill or trap) certain nuisance wildlife that threatens or damages agricultural crops, livestock, or apiaries. Under current law, to get a permit, the property owner or lessee must have tried reasonable nonlethal efforts (e.g., electric fencing, animal guardians, or fortified structures) that failed to prevent damage. The bill removes the requirement that the owner or lessee try reasonable nonlethal efforts to protect crops.

The bill also allows DEEP to issue permits for the taking of nuisance wildlife if the wildlife caused damage to agricultural crops during the previous growing season, as verified by DEEP. As under existing law, DEEP must specify in the permit the means, methods, and times for taking the nuisance wildlife, and the permit cannot allow for the taking of deer or a federally protected species. Additionally, DEEP may only issue a permit to the property owner, or his or her agent, or to a lessee who has the owner's written permission. The law requires that the wildlife taken under the permit be disposed of as DEEP directs.

By law, anyone who violates the conditions of a permit is guilty of a

class D misdemeanor (up to 30 days in prison, up to a \$250 fine, or both). The DEEP commissioner must also revoke the permit, as well as all other permits or licenses relating to the property. The permit remains suspended for a period of time set by the commissioner.

Lastly, the bill prohibits DEEP's nuisance wildlife permit applications from requiring notarization.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 27 Nay 6 (03/28/2025)