

## New York State Bowfishing Related Laws

Bowfishing has become a popular activity in New York State as well as on Keuka Lake over the last few years. This activity often occurs both during daytime, and at night with the use of bright lights. The recent surge in bowfishing activity has generated many questions from the public regarding the legality of bowfishing on New York Waters. Barring any local town/county ordinances prohibiting the discharge of bows, all New York waters otherwise open to fishing are legal to bow fish for carp during the open bowfishing season any hour of the day or night. New York State water includes all surface water of Keuka Lake up to the mean high-water mark when inundated. Private property exists on the bottom of the lake from land to the low water mark, unless otherwise denoted on a particular property deed. Docks, swim platforms, boat lifts, and boat houses are private property. Persons would need permission to enter private property as defined above. Below are the applicable laws to bowfishing in NYS.

6NYCRR Sec. 10.7 Taking fish with bows and spears.

(a) The taking of fish by bow or spear is prohibited in all waters except as specifically permitted in this section. Possession of spears is prohibited on all waters except where the taking of fish by spear is permitted. Fish permitted to be taken with spear or bow may be taken at any size and in any number.

**(b) Longbows may be used to take carp from May 15th through September 30th from any waters of the State where fishing is permitted.**

NYS ECL Sec. 11-0931. Prohibitions on the use and possession of firearms.

4. a. No person shall:

(2) discharge a firearm within five hundred feet, **a long bow within one hundred fifty feet**, or a crossbow within two hundred fifty feet from a dwelling house, farm building or farm structure actually occupied or used, school building, school playground, public structure, or occupied factory or church;

NYS ECL Sec. 11-0110. Interference with lawful taking of wildlife prohibited.

1. As used in this section "wildlife" means wild game and all other animal life existing in a wild state, **including fish**, shellfish and crustacea, and "process of taking", in addition to any act described in subdivision thirteen of section 11-0103 of this article, includes travel, camping, and other acts preparatory to taking, which occur on lands or waters upon which the affected person has the right or privilege to take such wildlife.

**2. A person is guilty of interfering with the lawful taking of wildlife when, with intent to prevent the taking of wildlife, in season, in a place where hunting, fishing or trapping is lawful, and by a person properly licensed to take such wildlife, he:**

**(a) strikes, shoves, kicks or otherwise subjects the licensed person to physical contact, or attempts or threatens to do the same; or**

**(b) follows the licensed person in or about such place and engages in a course of conduct or repeatedly commits acts which alarm or seriously annoy such licensed person and which serve no legitimate purpose.**

Notwithstanding any other provision of law to the contrary, no one shall be arrested for violation of this section by other than a duly designated peace officer acting pursuant to his special duties, or a police officer.