

HOUSE BILL 890

M2
HB 1518/10 – ENV

EMERGENCY BILL

4lr1665

By: **Delegates O'Donnell and Holmes**

Introduced and read first time: February 5, 2014

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources – Deer Hunting – Sundays**

3 FOR the purpose of repealing certain provisions of law authorizing deer hunting on
4 private property on certain Sundays in certain counties; authorizing the
5 Department of Natural Resources to allow a person to hunt deer on private
6 property on certain Sundays; providing for the application of this Act; making
7 this Act an emergency measure; and generally relating to Sunday deer hunting
8 on private land.

9 BY repealing and reenacting, with amendments,
10 Article – Natural Resources
11 Section 10–410(a)
12 Annotated Code of Maryland
13 (2012 Replacement Volume and 2013 Supplement)

14 BY repealing and reenacting, without amendments,
15 Article – Natural Resources
16 Section 10–411 and 10–415
17 Annotated Code of Maryland
18 (2012 Replacement Volume and 2013 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article – Natural Resources**

22 10–410.

23 (a) (1) Except as provided in paragraphs (2), (3), AND (4)[, (6), and (7)] of
24 this subsection, a person may not hunt any game bird or mammal on Sundays.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) The following persons may hunt the specified game birds and
2 mammals on Sundays:

3 (i) A person using State certified raptors to hunt game birds or
4 mammals during open season;

5 (ii) An unarmed person participating in an organized fox chase
6 to chase foxes;

7 (iii) Provided that the provisions of § 10–906(b)(3) of this title are
8 met, a person:

9 1. Using a regulated shooting ground under § 10–906 of
10 this title to hunt the following pen–reared game birds:

11 A. Pheasants;

12 B. Bobwhite quail;

13 C. Chukar partridge;

14 D. Hungarian partridge;

15 E. Tower released flighted mallard ducks; and

16 F. Turkey on a regulated shooting ground that was
17 permitted to release turkey before September 1, 1992; and

18 2. Having the written permission of the owner of the
19 land or other person designated by the owner of the land, if the land is owned or leased
20 by a person other than the person hunting on Sundays;

21 (iv) [Subject to the provisions of § 10–411 of this subtitle, in
22 Allegany, Calvert, Caroline, Carroll, Charles, Dorchester, Frederick, Garrett, Harford,
23 Queen Anne’s, St. Mary’s, Somerset, Talbot, Washington, Wicomico, and Worcester
24 counties, a person hunting deer on private property with a bow and arrow or crossbow
25 during open season on the last three Sundays in October and the second Sunday in
26 November;

27 (v)] Except on Easter Sunday, in Allegany County and Garrett
28 County, a person hunting turkey on the last Sunday in April and the first Sunday in
29 May;

30 [(vi)] (v) In Calvert County, Caroline County, Charles County,
31 Dorchester County, and St. Mary’s County, a person hunting turkey on private
32 property on any Sunday during the spring turkey hunting season; and

1 [(vii)] (VI) In Dorchester County, a person hunting turkey on
2 public land that is designated for hunting by the Department on any Sunday during
3 the spring turkey hunting season.

4 (3) [Subject to the provisions of § 10–415 of this subtitle, in Calvert
5 County, Caroline County, Charles County, Harford County, Queen Anne’s County, St.
6 Mary’s County, Somerset County, and Worcester County, a person may hunt deer on
7 private property on:

8 (i) The first Sunday of the bow hunting season in November;
9 and

10 (ii) Each Sunday in the deer firearms season.

11 (4) Provided that the provisions of § 10–415 of this subtitle are met
12 and subject to paragraph (5) of this subsection, the Department may allow a person to
13 hunt deer on private property on the first Sunday of:

14 (i) The bow hunting season in November; and

15 (ii) The deer firearms season.

16 (5) The Sunday deer hunting provisions under paragraph (4) of this
17 subsection do not apply:

18 (i) In Baltimore, Howard, and Prince George’s counties; and

19 (ii) In Baltimore City.

20 (6) (i) This paragraph applies only in Carroll County.]

21 **(I) THIS PARAGRAPH DOES NOT APPLY IN BALTIMORE,**
22 **HOWARD, OR PRINCE GEORGE’S COUNTIES, OR BALTIMORE CITY.**

23 (ii) Subject to §§ 10–411 and 10–415 of this subtitle, the
24 Department may allow a person to hunt deer on a Sunday on private property from
25 the first Sunday in October through the second Sunday in January of the following
26 year, inclusive.

27 [(7)] (4) A person who is 16 years of age or younger may hunt deer
28 with a firearm on a Sunday through participation in the junior deer hunt established
29 under § 10–405(a) of this subtitle.

30 10–411.

1 (a) A person may not upon any pretense come to hunt on the lands owned by
2 another person without the written permission of the landowner or the landowner's
3 agent or lessee.

4 (b) Any person hunting on this private property is liable for any damage the
5 person causes to the private property while hunting on the private property.

6 (c) The landowner may not be liable for accidental injury or damage to the
7 person whether or not the landowner or the landowner's agent gave permission to
8 hunt on the private property.

9 (d) In Harford County a person who violates subsection (a) of this section is
10 guilty of a misdemeanor and on conviction is subject to a fine of not less than \$25 and
11 not exceeding \$250.

12 10-415.

13 (a) There are the following 3 seasons to hunt deer:

14 (1) Deer bow hunting season;

15 (2) Deer firearms season; and

16 (3) Deer muzzle loader season.

17 (b) (1) Every person killing a deer shall report with the deer to a
18 designated checking station within 24 hours after killing the deer.

19 (2) Notwithstanding any requirement of law, if the designated
20 checking stations are closed in the county where a person kills a deer, a Natural
21 Resources police officer shall authorize the person to report with the deer to a
22 designated checking station in another county.

23 (c) (1) A person with a hunting license also may purchase bonus deer
24 stamps from the Department.

25 (2) A bonus deer stamp allows a person with the hunting license to
26 hunt 1 deer for each stamp purchased in any of the following hunting seasons for deer
27 in the State:

28 (i) Deer bow hunting season;

29 (ii) Deer muzzle loader season; and

30 (iii) Deer firearms season.

1 (3) An individual who purchases a bonus antlered deer stamp but does
2 not use it during a particular season may use that stamp during any subsequent
3 season in that hunting license year.

4 (4) The fee for each bonus antlered deer stamp issued in accordance
5 with this subsection shall be \$10.00 for residents and \$25.00 for nonresidents.

6 (5) The Department may establish by regulation the type and number
7 of deer stamps issued under this subsection if necessary to control the deer harvest in
8 various areas of the State.

9 (d) Repealed.

10 (e) A person may not remove the head or hide or any part from any deer,
11 except internal organs, or cut the meat into parts until the deer has been checked by
12 the Department or 1 of the Department's agents at a designated checking station.
13 Removal of the head or the hide of any deer not checked at a designated checking
14 station shall be prima facie evidence that the deer was hunted illegally. Each separate
15 deer or part of any deer taken illegally or found in possession shall be considered a
16 separate offense.

17 (f) Any person who, while operating a motor vehicle on any highway in the
18 State, accidentally strikes and kills a deer on the highway may have the deer if the
19 person produces visible evidence of collision with the deer to any Natural Resources
20 police officer, State law enforcement officer, or other designated representative of the
21 Secretary. The provisions of this subsection shall be applicable to deer killed by
22 collision with a motor vehicle at any time whether during the open season for killing
23 deer or during the legally closed season.

24 (g) A person may not hunt a deer while the deer is taking refuge in or
25 swimming through the waters of the State.

26 (h) Abrogated.

27 (i) Upon written request from a federal facility for a variance from the
28 established deer hunting season, the Department shall review the request and may:

29 (1) Approve the request;

30 (2) Deny the request; or

31 (3) Approve the request with conditions.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
33 measure, is necessary for the immediate preservation of the public health or safety,
34 has been passed by a yea and nay vote supported by three-fifths of all the members

1 elected to each of the two Houses of the General Assembly, and shall take effect from
2 the date it is enacted.