

HOUSE BILL 1335

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M2

2004 Regular Session
(4r2799)

ENROLLED BILL

-- *Environmental Matters/Education, Health, and Environmental Affairs* --

Introduced by **Delegate Edwards**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER 227

1 AN ACT concerning

2 **Natural Resources - Hunting License Requirements - Exceptions**

3 FOR the purpose of creating an additional exception to a prohibition against hunting
4 without a resident or nonresident hunter's license under certain circumstances;
5 making stylistic changes; and generally relating to exceptions to hunting license
6 requirements.

7 BY repealing and reenacting, without amendments,
8 Article - Natural Resources
9 Section 10-301(a)
10 Annotated Code of Maryland
11 (2000 Replacement Volume and 2003 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article - Natural Resources
14 Section 10-301(b)

1 Annotated Code of Maryland
2 (2000 Replacement Volume and 2003 Supplement)

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

5 **Article - Natural Resources**

6 10-301.

7 (a) To provide a fund to pay the expense of protecting and managing wildlife,
8 and preventing unauthorized persons from hunting them, a person may not hunt or
9 attempt to hunt during open season and in any permitted manner any game birds and
10 mammals in the State without first having procured either a resident or nonresident
11 hunter's license. A person may not hunt or attempt to hunt nongame birds and
12 mammals in Baltimore County or Frederick County without first obtaining a license.
13 A permanent resident of a government reservation may obtain a resident hunter's
14 license.

15 (b) [(1)] The following persons are not required to obtain a hunter's license or
16 bonus antlered deer stamp:

17 [(i)] (1) With respect to hunting on farmland only:

18 [1.] (I) [Except as provided in paragraph (2) of this
19 subsection, the] THE RESIDENT owner of the farmland and the owner's spouse,
20 children, and children's spouse; [and

21 2.] (II) A tenant and the tenant's spouse, children, and, if
22 residing on the farmland, children's spouse. A tenant is a person holding land under a
23 lease, or a sharecropper who resides in a dwelling on the land, but a tenant does not
24 include any employee of the owner or tenant; AND

25 (III) A NONRESIDENT OWNER OF A PARCEL OF FARMLAND LOCATED
26 ~~IN MARYLAND AND AN ADJACENT STATE WHOSE PRIMARY RESIDENCE IS ON THAT~~
27 ~~PARCEL~~, AND THE OWNER'S SPOUSE, CHILDREN, AND CHILDREN'S SPOUSE IF:

28 1. THE PARCEL OF FARMLAND IS LOCATED IN MARYLAND
29 AND AN ADJACENT STATE;

30 2. THE OWNER'S PRIMARY RESIDENCE IS ON THE PARCEL
31 OF FARMLAND; AND

32 3. THE ADJACENT STATE EXTENDS SIMILAR PRIVILEGES TO
33 A RESIDENT OF MARYLAND;

34 [(ii)] (2) Any resident serving in the armed forces of the United
35 States while on leave in the State, during the resident's leave period, if, while
36 hunting, the resident possesses a copy of the resident's official leave order; and

1 [(iii)] (3) Any unarmed person participating in an organized
2 foxhunt.

3 [(2) The provisions of paragraph (1)(i)1 of this subsection do not apply to
4 a nonresident owner of farmland.]

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2004.