

# HOUSE BILL 14

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HB 1547/14 – ENV

(PRE-FILED)

5lr0600

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By: ~~Delegate O'Donnell~~ **Delegates O'Donnell and S. Howard**

Requested: November 17, 2014

Introduced and read first time: January 14, 2015

Assigned to: Environment and Transportation

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 17, 2015

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Hunting Licenses – Exemption for Retired Members of the Armed Forces**

3 FOR the purpose of creating an exemption from the requirement to obtain a hunting license  
4 under certain circumstances for a person who is a former member of the armed forces  
5 of the United States; providing that the exemption applies only to hunting on certain  
6 farmland that is under certain ownership; requiring a person who hunts under the  
7 exemption to possess certain identification, written permission, and, under certain  
8 circumstances, hunting stamps; and generally relating to exemptions from the  
9 requirement to obtain a hunting license.

10 BY repealing and reenacting, without amendments,  
11 Article – Natural Resources  
12 Section 10–301(b)  
13 Annotated Code of Maryland  
14 (2012 Replacement Volume and 2014 Supplement)

15 BY repealing and reenacting, with amendments,  
16 Article – Natural Resources  
17 Section 10–301(c)  
18 Annotated Code of Maryland  
19 (2012 Replacement Volume and 2014 Supplement)

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



**Article – Natural Resources**

1

2 10–301.

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

10 (c) (1) Except as provided in paragraph (2) of this subsection, the following  
11 persons are not required to obtain a hunter's license, bow and arrow stamp, black powder  
12 stamp, or bonus antlered deer stamp:

13 (i) With respect to hunting on farmland only:

14 1. The resident owner of the farmland and the owner's  
15 spouse, child, and child's spouse;

16 2. A tenant and the tenant's spouse, child, and child's spouse.  
17 A tenant is a person holding land under a lease, or a sharecropper who resides in a dwelling  
18 on the land, but a tenant does not include any employee of the owner or tenant; and

19 3. A nonresident owner of a parcel of farmland and the  
20 owner's spouse, child, and child's spouse if:

21 A. The parcel of farmland is located in Maryland and an  
22 adjacent state;

23 B. The owner's primary residence is on the parcel of  
24 farmland; and

25 C. The adjacent state extends similar privileges to a resident  
26 of Maryland;

27 (ii) Any resident serving in the armed forces of the United States  
28 while on leave in the State, during the resident's leave period, if, while hunting, the resident  
29 possesses a copy of the resident's official leave order;

30 (iii) Any person serving in the armed forces of the United States who  
31 has a service-connected disability, if, while hunting, the person possesses valid military  
32 identification; and

33 (iv) Any unarmed person participating in an organized foxhunt.

1           (2)   (i)    Except as provided in subparagraph (ii) of this paragraph, in  
2 order to qualify for the license and stamp exemption in accordance with paragraph (1) of  
3 this subsection, a child or child's spouse must be eligible to purchase a junior resident or  
4 junior nonresident hunting license.

5           (ii)   If a child or child's spouse is ineligible to purchase a junior  
6 resident or junior nonresident hunting license, the child or child's spouse shall qualify for  
7 the license and stamp exemption if the child or child's spouse:

- 8                   1.    Lives on the farmland;
- 9                   2.    Worked on the farmland for 30 or more days during the  
10 prior 12-month period; or
- 11                   3.    Manages the farmland.

12           **(3)   (I)    IN THIS PARAGRAPH, "ARMED FORCES" INCLUDES THE U.S.  
13 COAST GUARD AND THE U.S. MERCHANT MARINE.**

14           **(II)   SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, A  
15 PERSON WHO IS A RETIRED FORMER MEMBER OF THE ARMED FORCES OF THE  
16 UNITED STATES IS NOT REQUIRED TO OBTAIN A HUNTING LICENSE TO HUNT ON  
17 FARMLAND THAT IS:**

- 18                   1.    **IN ACTIVE FARMING STATUS; AND**
- 19                   2.    **OWNED BY THE PERSON OR THE PERSON'S SPOUSE,  
20 CHILD, CHILD'S SPOUSE, PARENT, GRANDPARENT, SIBLING, NIECE, OR NEPHEW.**

21           **(III)   A PERSON WHO HUNTS ON FARMLAND WITHOUT A HUNTING  
22 LICENSE UNDER THIS PARAGRAPH SHALL POSSESS:**

- 23                   1.    **THE RETIRED-MILITARY IDENTIFICATION CARD OF  
24 THE PERSON;**
- 25                   2.    **WRITTEN PERMISSION FROM THE OWNER OF THE  
26 FARM PROPERTY TO HUNT ON THE PROPERTY ~~DURING A SPECIFIED PERIOD OF TIME~~  
27 THAT INCLUDES:**

28                   **A.    A SPECIFIED PERIOD OF TIME THAT THE PERSON IS  
29 AUTHORIZED TO HUNT ON THE PROPERTY; AND**

30                   **B.    THE RELATIONSHIP OF THE PERSON TO THE OWNER  
31 OF THE PROPERTY; AND**

