

Chapter 202

(Senate Bill 844)

AN ACT concerning

Frederick County – Deer Management Permit – Use of Rifles

FOR the purpose of authorizing an individual in Frederick County who holds a Deer Management Permit to use a certain rifle to harvest deer throughout the year, including all deer hunting seasons; authorizing an agent of a permittee in a certain zone in Frederick County to use a rifle to harvest deer throughout the year ~~with a certain exception and~~; authorizing an agent of a permittee in a certain zone in Frederick County to use a rifle to harvest deer during a certain period with a certain exception and allowing the agent to harvest deer in a deer firearms season only by using the weapon approved for that season; defining a certain term; requiring the Department of Natural Resources to adopt certain regulations; making a technical correction; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to Deer Management Permits.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–415(d)
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

BY adding to
Article – Natural Resources
Section 10–415(d)
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)
(As enacted by Chapter 574 of the Acts of the General Assembly of 2014)

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

Article – Natural Resources

10–415.

(d) (1) In this subsection, “Deer Management Permit” means a permit issued by the Department authorizing the holder to hunt deer outside of deer hunting season for the purpose of preventing damage to crops.

(2) (1) In Charles County and St. Mary’s County, an individual who holds a Deer Management Permit may:

[(i)] 1. Use a shotgun approved by the Department to hunt deer throughout deer season in the locations and under the conditions set forth in the permit; and

[(ii)] 2. Hunt deer on State agricultural crop land located in Charles County and St. Mary's County to the same extent as the person is authorized under the Deer Management Permit to hunt on private land in Charles County and St. Mary's County.

[(3)] (II) The Department may not require an individual who holds a Deer Management Permit in Charles County or St. Mary's County to apply for renewal more than once every 3 years.

[(4)] (III) The Department may not authorize an individual in Charles County or St. Mary's County to hunt deer on Sundays under a Deer Management Permit.

[(5)] (3) To protect public safety and welfare, the Department may:

(i) Terminate the deer hunting season established under subsection (a)(2) of this section; and

(ii) Restrict the lands on which an individual may hunt deer.

(4) (I) **THIS PARAGRAPH APPLIES ONLY IN FREDERICK COUNTY.**

(II) **SUBJECT TO THE CONDITIONS SET FORTH IN A DEER MANAGEMENT PERMIT, A PERMITTEE MAY USE A RIFLE APPROVED BY THE DEPARTMENT TO HARVEST DEER THROUGHOUT THE YEAR, INCLUDING ALL DEER HUNTING SEASONS.**

~~(III) AN AGENT OF A PERMITTEE MAY:~~

~~1. EXCEPT AS PROVIDED IN ITEM 2 OF THIS SUBPARAGRAPH, USE A RIFLE TO HARVEST DEER THROUGHOUT THE YEAR; AND~~

~~2. HARVEST DEER IN A DEER FIREARMS SEASON ONLY BY USING THE WEAPON APPROVED FOR THAT SEASON.~~

(III) IN FREDERICK COUNTY ZONE 1, AS DEFINED IN COMAR 08.03.03.06A.(3)(G), AN AGENT OF A PERMITTEE MAY USE A RIFLE TO HARVEST DEER THROUGHOUT THE YEAR.

(IV) 1. THIS SUBPARAGRAPH APPLIES ONLY IN FREDERICK COUNTY ZONE 2, AS DEFINED IN COMAR 08.03.03.06A.(3)(H).

2. EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 3 OF THIS SUBPARAGRAPH, AN AGENT OF A PERMITTEE MAY USE A RIFLE TO HARVEST DEER IN A PERIOD BEGINNING OCTOBER 1 AND ENDING MARCH 31.

3. IN A DEER FIREARMS SEASON, AN AGENT OF A PERMITTEE MAY HARVEST DEER ONLY BY USING THE WEAPON APPROVED FOR THAT SEASON.

~~(IV)~~ (V) THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SUBSECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Natural Resources

10-415.

(D) (1) IN THIS SUBSECTION, “DEER MANAGEMENT PERMIT” MEANS A PERMIT ISSUED BY THE DEPARTMENT AUTHORIZING THE HOLDER TO HARVEST DEER OUTSIDE OF DEER HUNTING SEASON FOR THE PURPOSE OF PREVENTING DAMAGE TO CROPS.

(2) (I) THIS PARAGRAPH APPLIES ONLY IN FREDERICK COUNTY.

(II) SUBJECT TO THE CONDITIONS SET FORTH IN A DEER MANAGEMENT PERMIT, A PERMITTEE MAY USE A RIFLE APPROVED BY THE DEPARTMENT TO HARVEST DEER THROUGHOUT THE YEAR, INCLUDING ALL DEER HUNTING SEASONS.

~~(III) AN AGENT OF A PERMITTEE MAY:~~

~~1. EXCEPT AS PROVIDED IN ITEM 2 OF THIS SUBPARAGRAPH, USE A RIFLE TO HARVEST DEER THROUGHOUT THE YEAR; AND~~

~~2. HARVEST DEER IN A DEER FIREARMS SEASON ONLY BY USING THE WEAPON APPROVED FOR THAT SEASON.~~

(III) IN FREDERICK COUNTY ZONE 1, AS DEFINED IN COMAR 08.03.03.06A.(3)(G), AN AGENT OF A PERMITTEE MAY USE A RIFLE TO HARVEST DEER THROUGHOUT THE YEAR.

(IV) 1. THIS SUBPARAGRAPH APPLIES ONLY IN FREDERICK COUNTY ZONE 2, AS DEFINED IN COMAR 08.03.03.06A.(3)(H).

2. EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 3 OF THIS SUBPARAGRAPH, AN AGENT OF A PERMITTEE MAY USE A RIFLE TO HARVEST DEER IN A PERIOD BEGINNING OCTOBER 1 AND ENDING MARCH 31.

3. IN A DEER FIREARMS SEASON, AN AGENT OF A PERMITTEE MAY HARVEST DEER ONLY BY USING THE WEAPON APPROVED FOR THAT SEASON.

~~(IV)~~ (V) THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SUBSECTION.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect on the taking effect of the termination provision specified in Section 2 of Chapter 574 of the Acts of the General Assembly of 2014. If that termination provision takes effect, Section 1 of this Act shall be abrogated and of no further force and effect. This Act may not be interpreted to have any effect on that termination provision.

SECTION 4. AND BE IT FURTHER ENACTED, That, subject to the provisions of Section 3 of this Act, this Act shall take effect July 1, 2015.

Approved by the Governor, May 12, 2015.