

# HOUSE BILL 1435

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By: **Delegates Glass, Brooks, Grammer, McDonough, McKay, Parrott, and Simonaire**

Introduced and read first time: February 12, 2016

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Fishing Under a Boat License – Repeal of Registration Requirement**  
3 **(Fishing Freedom Act of 2016)**

4 FOR the purpose of repealing the requirement that a person register with the Department  
5 of Natural Resources before lawfully fishing without a fishing license in the tidal  
6 waters of the State from a boat to which a certain license applies; and generally  
7 relating to fishing under a boat license.

8 BY repealing and reenacting, without amendments,  
9 Article – Natural Resources  
10 Section 4–745(a)(1) and (d)(2)  
11 Annotated Code of Maryland  
12 (2012 Replacement Volume and 2015 Supplement)

13 BY repealing and reenacting, with amendments,  
14 Article – Natural Resources  
15 Section 4–745(d)(3)  
16 Annotated Code of Maryland  
17 (2012 Replacement Volume and 2015 Supplement)

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

20 **Article – Natural Resources**

21 4–745.

22 (a) (1) Except as provided in subsections (c) and (d) of this section and § 4–217  
23 of this title, a person may not fish for finfish in the Chesapeake Bay or in its tributaries up  
24 to tidal boundaries or in State waters of the Atlantic Ocean and the Atlantic coastal bays

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 and their tributaries without first obtaining a Chesapeake Bay and coastal sport fishing  
2 license or registration issued under subsection (d)(3) of this section and possessing evidence  
3 of the license or registration.

4 (d) (2) (i) The Department may provide by regulation for issuance of an  
5 annual special Chesapeake Bay and coastal sport fishing license, which when permanently  
6 affixed to a boat registered in any state shall authorize any person on the boat to fish for  
7 finfish in the Chesapeake Bay or in its tributaries up to tidal boundaries or in State waters  
8 of the Atlantic Ocean and the Atlantic coastal bays and their tributaries, except that such  
9 a license may not be used on a boat that has been hired to take such persons fishing.

10 (ii) The annual fee for this special license shall be \$50.

11 (iii) If a boat owner purchases the special license under this  
12 paragraph, the boat owner may fish anywhere in the Chesapeake Bay and its tributaries  
13 or the State waters of the Atlantic Ocean and the Atlantic coastal bays and their  
14 tributaries, whether the boat owner is fishing in the owner's boat, in another person's boat,  
15 on land, or elsewhere. The Department shall issue a complimentary Chesapeake Bay and  
16 coastal sport fishing license to the boat owner who purchases a special license under this  
17 paragraph. If a boat to which the special license is affixed has more than one owner, then  
18 only the individual applicant who signs the application for the special license shall be  
19 entitled to a complimentary Chesapeake Bay and coastal sport fishing license under this  
20 paragraph.

21 (3) (i) An individual shall register with the Department before fishing  
22 in any of the following areas that do not require a Chesapeake Bay and coastal sport fishing  
23 license:

24 1. A free fishing area established under § 4-214(b)(1) of this  
25 title with hook and line; **AND**

26 2. On private real property bordering on tidal water as an  
27 owner or tenant of the property, or a spouse or an immediate family member who resides  
28 on the property with the owner or tenant[; and

29 3. On a boat licensed under paragraph (2) of this subsection].

30 (ii) There is no fee for registration under this paragraph.

31 (iii) An individual required to register under this paragraph shall  
32 provide all the information requested by the Department on forms issued by the  
33 Department.

34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
35 1, 2016.