Chapter 22

(Senate Bill 113)

AN ACT concerning

Department of Agriculture – Bees, Bee Colonies, and Used Bee Equipment – Transportation and Shipment

FOR the purpose of repealing the requirement that a bee colony or used bee equipment shipped or transported into the State be accompanied by an entry permit issued by the Department of Agriculture; requiring a certain person to submit certain information to the Department before shipping or transporting a bee colony or used bee equipment into the State; authorizing the Department to restrict the movement of a bee or bee colony under certain circumstances; and generally relating to the shipment or transportation of a bee, bee colony, or used bee equipment into the State.

BY repealing and reenacting, with amendments,
    Article – Agriculture
    Section 5–505
    Annotated Code of Maryland
    (2007 Replacement Volume and 2015 Supplement)

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

Article – Agriculture

5–505.

(a)   A person may not ship or transport into this State any colony or used bee equipment that is not accompanied by **[**the following documents:

(1)   An entry permit, issued by the Department; and

(2)   A**] A** valid inspection certificate that:

[(i)**] (1)**   Has been issued by an authorized apiary inspector of the state of origin; and

[(ii)**] (2)**   States that the colony or equipment is disease free based on an inspection by that inspector within a time period as determined by the Department.

(b)   Before a person may ship or transport into this State any colony or used bee equipment, **[**the person shall request an entry permit by submitting**] THE PERSON SHALL SUBMIT THE FOLLOWING INFORMATION** to the Department:

(1)   An inspection certificate from the state of origin;

(2)   The name, address, and state of residence of the shipper;

(3)   The person to whom and destination to which the colony or bee equipment is to be shipped;

(4)   The number of hives that contain bees;

(5)   The type and quantity of bee equipment contained in the shipment;

(6)   The date of the last official inspection of the apiary and bee equipment;

(7)   The total number of colonies in the apiary inspected;

(8)   The number of infected colonies, if any, that were found in the apiary on that last inspection; and

(9)   The number of these infected colonies that were destroyed.

(c)   Without the prior written permission of the Department, a person may not transport into this State from outside of the United States a bee that belongs to the genus **[**apis**] APIS**, used bee equipment, or a used appliance.

(d)   A person may not ship or transport into this State any queen bee or packaged bee unless it is accompanied by a valid certificate that:

(1)   Was issued by an authorized apiary inspector of the state of origin; and

(2)   States that the bee is from a disease free colony.

(e)   A person, who receives a delivery of a colony or bee that was transported into this State without the **[**documents**] DOCUMENT** required under this subtitle, immediately shall give to the Department notice of the delivery.

(f)   (1)   Any colony or bee that is transported into this State **[**and that is not accompanied by the documents required under this**] IN A MANNER THAT DOES NOT MEET THE REQUIREMENTS OF THIS** subtitle shall be restricted to an area that the Department designates and may not be moved.

(2)   The Department shall give the owner notice that unless the colony or bee is removed from the State within 24 hours, it may be destroyed by the Department at the expense of the owner.

(3)   The Department may destroy at the expense of the owner any bee or colony that is not removed from this State within 24 hours after notice is given under this subsection.

(g)   A transportation company or common carrier shall have the immunity from liability described under § 5–415 of the Courts and Judicial Proceedings Article.

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

Enacted under Article II, § 17(b) of the Maryland Constitution, April 7, 2016.