

SENATE BILL 747

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By: **Senator Astle**

Introduced and read first time: February 5, 2018

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: March 16, 2018

CHAPTER _____

1 AN ACT concerning

2 **Wildlife Management – Shooting at Nighttime**

3 FOR the purpose of prohibiting the Department from authorizing a holder or an agent of a
4 holder of a Deer Management Permit to shoot or discharge a firearm at nighttime;
5 and generally relating to shooting wildlife at nighttime.

6 BY repealing and reenacting, without amendments,
7 Article – Natural Resources
8 Section 10–101(a) and (m)
9 Annotated Code of Maryland
10 (2012 Replacement Volume and 2017 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article – Natural Resources
13 Section 10–415(d)
14 Annotated Code of Maryland
15 (2012 Replacement Volume and 2017 Supplement)

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

18 **Article – Natural Resources**

19 10–101.

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.



1 (a) In this title the following words have the meanings indicated.

2 (m) "Nighttime" means the time beginning one-half hour after sunset and ending
3 one-half hour before sunrise the following day, as published in the Department's hunter's
4 guide, unless this title provides otherwise.

5 10-415.

6 (d) (1) In this subsection, "Deer Management Permit" means a permit issued
7 by the Department authorizing the holder or an agent of the holder to hunt deer outside of
8 deer hunting season for the purpose of preventing damage to crops.

9 (2) In Charles County and St. Mary's County, an individual who hunts deer
10 under a Deer Management Permit may:

11 (i) Use a shotgun or breech loading center fired rifle approved by
12 the Department to hunt deer throughout the year, including all deer hunting seasons, in
13 the locations and under the conditions set forth in the permit; and

14 (ii) On State land in Charles County or St. Mary's County leased by
15 the permit holder for the purpose of cultivating crops, hunt deer on the leased land in the
16 locations and under the conditions set forth in the permit.

17 (3) To protect public safety and welfare, the Department may restrict the
18 lands on which an individual may hunt deer under a Deer Management Permit.

19 (4) (i) This paragraph applies only in Frederick County.

20 (ii) Subject to the conditions set forth in a Deer Management Permit,
21 a permittee may use a rifle approved by the Department to harvest deer throughout the
22 year, including all deer hunting seasons.

23 (iii) In Frederick County Zone 1, as defined in COMAR
24 08.03.03.06A.(3)(g), an agent of a permittee may use a rifle to harvest deer throughout the
25 year.

26 (iv) 1. This subparagraph applies only in Frederick County Zone
27 2, as defined in COMAR 08.03.03.06A.(3)(h).

28 2. Except as provided in subparagraph 3 of this
29 subparagraph, an agent of a permittee may use a rifle to harvest deer in a period beginning
30 October 1 and ending March 31.

31 3. In a deer firearms season, an agent of a permittee may
32 harvest deer only by using the weapon approved for that season.

1 (v) The Department shall adopt regulations to implement this
2 subsection.

3 (5) THE DEPARTMENT MAY NOT AUTHORIZE A HOLDER OR AN AGENT
4 OF A HOLDER OF A DEER MANAGEMENT PERMIT TO SHOOT OR DISCHARGE A
5 FIREARM AT NIGHTTIME.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
7 1, 2018.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.