

## Chapter 531

**(House Bill 1485)**

AN ACT concerning

**Natural Resources – Shellfish – Harvesting by Wharf Owners**

FOR the purpose of altering the distance from certain piers, wharves, or other structures in certain counties within which the owner has exclusive use of the area for growing oysters in a certain manner; altering the manner by which oysters may be grown and harvested in proximity to certain piers, wharves, or other structures; providing that certain oysters may not be commercially harvested, sold, or marketed for human consumption; making certain clarifying changes; and generally relating to the harvesting of shellfish by owners of piers, wharves, or other structures.

BY repealing and reenacting, with amendments,  
 Article – Natural Resources  
 Section 4–11A–17  
 Annotated Code of Maryland  
 (2012 Replacement Volume and 2017 Supplement)

BY adding to  
Article – Natural Resources  
Section 4–11A–17.1  
Annotated Code of Maryland  
(2012 Replacement Volume and 2017 Supplement)

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

**Article – Natural Resources**

4–11A–17.

The owner of any **PIER**, wharf, or other structure constructed on or about the water and approved by the corps of engineers, shall have exclusive use, for the purpose of growing and harvesting shellfish, of the area:

- (1) Below the owner's **PIER**, wharf, or structure; and
- (2) In Calvert, Howard, St. Mary's, and Talbot counties only, within **[5] 10** feet of the owner's **PIER**, wharf, or structure, **FOR** oysters grown in trays, baskets, or containers that are attached **[to a private pier or wharf]** by lines or ropes that are the property of the owner of the pier **[or]**, wharf, **OR STRUCTURE TO:**

(I) THE PRIVATE PIER, WHARF, OR STRUCTURE; OR

(II) ANOTHER OYSTER TRAY, BASKET, OR CONTAINER THAT IS ATTACHED TO THE PRIVATE PIER, WHARF, OR STRUCTURE.

4-11A-17.1.

OYSTERS GROWN AND HARVESTED UNDER § 4-11A-17 OF THIS SUBTITLE MAY NOT BE COMMERCIALY HARVESTED, SOLD, OR MARKETED FOR HUMAN CONSUMPTION.

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

Approved by the Governor, May 8, 2018.