

HOUSE BILL 173

M2

01r0060

By: **Chair, Environment and Transportation Committee (By Request – Departmental – Natural Resources)**

Introduced and read first time: January 15, 2020

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 3, 2020

CHAPTER _____

1 AN ACT concerning

2 **Natural Resources – Sunday Hunting**

3 FOR the purpose of clarifying certain provisions of law governing Sunday hunting in the
4 State; establishing the authority of the Department of Natural Resources to allow
5 Sunday hunting under certain circumstances; ~~authorizing Sunday hunting on~~
6 ~~certain public land~~; altering the application of authorized Sunday hunting to junior
7 hunts and holders of a deer management permit; prohibiting the hunting of
8 migratory game birds on Sunday; prohibiting hunting on certain public land on
9 Sunday; repealing a certain termination provision governing authorized Sunday
10 hunting in Montgomery County; providing for a delayed effective date for certain
11 provisions of this Act; and generally relating to Sunday hunting in the State.

12 BY repealing

13 Article – Natural Resources

14 Section 10–410(a)

15 Annotated Code of Maryland

16 (2012 Replacement Volume and 2019 Supplement)

17 BY adding to

18 Article – Natural Resources

19 Section 10–410(a)

20 Annotated Code of Maryland

21 (2012 Replacement Volume and 2019 Supplement)

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 BY repealing and reenacting, with amendments,
2 Chapter 459 of the Acts of the General Assembly of 2017
3 Section 2

4 BY repealing and reenacting, with amendments,
5 Article – Natural Resources
6 Section 10–410(a)(3) through (5)
7 Annotated Code of Maryland
8 (2012 Replacement Volume and 2019 Supplement)
9 (As enacted by Section 1 of this Act)

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

12 **Article – Natural Resources**

13 10–410.

14 [(a) (1) Except as otherwise provided in this subsection, a person may not hunt
15 any game bird or mammal on Sundays.

16 (2) The following persons may hunt the specified game birds and mammals
17 on Sundays:

18 (i) A person using State certified raptors to hunt game birds or
19 mammals during open season;

20 (ii) An unarmed person participating in an organized fox chase to
21 chase foxes;

22 (iii) Provided that the provisions of § 10–906(b)(3) of this title are
23 met, a person:

24 1. Using a regulated shooting ground under § 10–906 of this
25 title to hunt the following pen–reared game birds:

26 A. Pheasants;

27 B. Bobwhite quail;

28 C. Chukar partridge;

29 D. Hungarian partridge;

30 E. Tower released flighted mallard ducks; and

1 F. Turkey on a regulated shooting ground that was permitted
2 to release turkey before September 1, 1992; and

3 2. Having the written permission of the owner of the land or
4 other person designated by the owner of the land, if the land is owned or leased by a person
5 other than the person hunting on Sundays;

6 (iv) Subject to the provisions of § 10–411 of this subtitle, in Calvert,
7 Caroline, Carroll, Charles, Harford, Queen Anne’s, Somerset, Talbot, Wicomico, and
8 Worcester counties, a person hunting deer on private property with a bow and arrow or
9 crossbow during open season on the last three Sundays in October and the second Sunday
10 in November;

11 (v) In Calvert County, Caroline County, Carroll County, Charles
12 County, Dorchester County, and Kent County, a person hunting turkey on private property
13 on any Sunday during the spring turkey hunting season;

14 (vi) In Dorchester County, a person hunting turkey on public land
15 that is designated for hunting by the Department on any Sunday during the spring turkey
16 hunting season; and

17 (vii) A person hunting deer under a Deer Management Permit on any
18 Sunday throughout the year, including all deer hunting seasons.

19 (3) Subject to the provisions of § 10–415 of this subtitle, in Calvert County,
20 Caroline County, Charles County, Harford County, Queen Anne’s County, Somerset
21 County, and Worcester County, a person may hunt deer on private property on:

22 (i) The first Sunday of the bow hunting season in November; and

23 (ii) Each Sunday in the deer firearms season.

24 (4) Provided that the provisions of § 10–415 of this subtitle are met and
25 subject to paragraph (5) of this subsection, the Department may allow a person to hunt deer
26 on private property on the first Sunday of:

27 (i) The bow hunting season in November; and

28 (ii) The deer firearms season.

29 (5) Subject to paragraphs (10) and (11) of this subsection, the Sunday deer
30 hunting provisions under paragraph (4) of this subsection do not apply:

31 (i) In Baltimore, Howard, Kent, Montgomery, and Prince George’s
32 counties; and

33 (ii) In Baltimore City.

1 (6) (i) This paragraph applies only in Carroll County.

2 (ii) Subject to §§ 10–411 and 10–415 of this subtitle, the Department
3 may allow a person to hunt deer on a Sunday on private property from the first Sunday in
4 October through the second Sunday in January of the following year, inclusive.

5 (7) A person who is 16 years of age or younger may hunt deer with a firearm
6 on a Sunday through participation in the junior deer hunt established under § 10–405(a) of
7 this subtitle.

8 (8) (i) This paragraph applies only in Allegany County, Cecil County,
9 Garrett County, and Washington County.

10 (ii) The Department may allow a person to hunt any game bird or
11 game mammal, except migratory game birds, on a Sunday during the open season for that
12 game bird or game mammal on:

- 13 1. Private property, subject to § 10–411 of this subtitle; and
14 2. Public land that is designated for Sunday hunting by the
15 Department.

16 (9) (i) This paragraph applies only in Frederick County.

17 (ii) Subject to § 10–415 of this subtitle, the Department may allow a
18 person to hunt deer on a Sunday from the first Sunday in October through the second
19 Sunday in January of the following year, inclusive, on:

- 20 1. Private property, subject to § 10–411 of this subtitle; and
21 2. Public land that is designated for Sunday hunting by the
22 Department.

23 (10) (i) This paragraph applies only in Kent County.

24 (ii) Subject to §§ 10–411 and 10–415 of this subtitle and
25 subparagraph (iii) of this paragraph, the Department may allow a person to hunt deer on
26 a Sunday on private property throughout all deer hunting seasons.

27 (iii) 1. Except as provided in subsubparagraph 2 of this
28 subparagraph, during firearms season, the Department may allow a person to hunt deer
29 on a Sunday only from 30 minutes before sunrise until 10:30 a.m.

30 2. The time restrictions under this subparagraph do not
31 apply:

(ii) The Department may allow a person to hunt any game bird or game mammal, except migratory game birds, on a Sunday during the open season for that game bird or game mammal on:

1. Except in State parks, public land designated by the Department; or

2. Private property, subject to § 10–411 of this subtitle.

(14) (i) This paragraph applies only in Wicomico County.

(ii) Subject to § 10–415 of this subtitle, the Department may allow a person to hunt deer on private property on the second Sunday in deer firearms season from 30 minutes before sunrise until 10:30 a.m.]

(A) (1) THE DEPARTMENT MAY ALLOW A PERSON TO HUNT ON EACH SUNDAY OF THE GAME BIRD AND GAME MAMMAL SEASONS IN:

(I) ALLEGANY COUNTY;

(II) CECIL COUNTY;

(III) GARRETT COUNTY;

(IV) ST. MARY'S COUNTY; AND

(V) WASHINGTON COUNTY.

(2) THE DEPARTMENT MAY ALLOW A PERSON TO HUNT DEER ON EACH SUNDAY OF THE DEER HUNTING SEASONS FROM THE FIRST SUNDAY IN OCTOBER THROUGH THE SECOND SUNDAY IN JANUARY, INCLUSIVE, IN:

(I) CARROLL COUNTY;

(II) DORCHESTER COUNTY; AND

(III) FREDERICK COUNTY.

(3) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE DEPARTMENT MAY ALLOW A PERSON TO HUNT DEER ON EACH SUNDAY OF THE DEER HUNTING SEASONS FROM 30 MINUTES BEFORE SUNRISE UNTIL 10:30 A.M. IN:

1. KENT COUNTY; AND

2. MONTGOMERY COUNTY.

1 **(II) THE TIME RESTRICTIONS UNDER THIS PARAGRAPH DO NOT**
2 **APPLY:**

3 **1. TO A PARTICIPANT IN A JUNIOR DEER HUNT**
4 **AUTHORIZED UNDER THIS SUBTITLE;**

5 **2. ON ONE SUNDAY DESIGNATED BY THE DEPARTMENT**
6 **DURING THE DEER FIREARMS SEASON;**

7 **3. IN KENT COUNTY, ON EACH SUNDAY DURING THE**
8 **DEER BOW HUNTING SEASON AND THE DEER MUZZLE LOADER SEASON; AND**

9 **4. IN MONTGOMERY COUNTY, ON ONE SUNDAY**
10 **DESIGNATED BY THE DEPARTMENT DURING THE DEER BOW HUNTING SEASON.**

11 **(4) THE DEPARTMENT MAY ALLOW A PERSON TO HUNT DEER DURING**
12 **THE DEER FIREARMS SEASON:**

13 **(I) ON EACH SUNDAY IN:**

14 **1. CALVERT COUNTY;**

15 **2. CAROLINE COUNTY;**

16 **3. CHARLES COUNTY;**

17 **4. HARFORD COUNTY;**

18 **5. QUEEN ANNE'S COUNTY;**

19 **6. SOMERSET COUNTY; AND**

20 **7. WORCESTER COUNTY;**

21 **(II) ON THE FIRST SUNDAY IN:**

22 **1. ANNE ARUNDEL COUNTY; AND**

23 **2. TALBOT COUNTY; AND**

24 **(III) IN WICOMICO COUNTY, ON:**

25 **1. THE FIRST SUNDAY; AND**

1 **(7) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBTITLE,**
2 **THE DEPARTMENT MAY ALLOW A PERSON WITH A DEER MANAGEMENT PERMIT TO**
3 **SHOOT DEER ON ANY SUNDAY THROUGHOUT THE YEAR IN ACCORDANCE WITH THE**
4 **TERMS OF THE PERMIT.**

5 **(8) THE DEPARTMENT MAY ALLOW A PERSON USING A STATE**
6 **CERTIFIED RAPTOR TO HUNT GAME BIRDS OR MAMMALS ON EACH SUNDAY DURING**
7 **THE OPEN SEASON FOR THE GAME BIRDS OR MAMMALS.**

8 **(9) THE DEPARTMENT MAY ALLOW AN UNARMED PERSON**
9 **PARTICIPATING IN AN ORGANIZED FOX CHASE TO CHASE FOXES ON SUNDAY.**

10 **(10) THE DEPARTMENT MAY ALLOW A PERSON SHOOTING**
11 **PEN-REARED GAME BIRDS OR TOWER-RELEASED FLIGHTED MALLARD DUCKS TO**
12 **HUNT ON SUNDAY AT A REGULATED SHOOTING GROUND IN ACCORDANCE WITH §**
13 **10-906 OF THIS TITLE.**

14 **(11) THE DEPARTMENT MAY ALLOW A PERSON WHO IS 16 YEARS OLD**
15 **OR YOUNGER TO HUNT ON SUNDAY IF PARTICIPATING IN A JUNIOR HUNT**
16 **ESTABLISHED BY THE DEPARTMENT IN ACCORDANCE WITH THIS SUBTITLE.**

17 **(12) EXCEPT AS PROVIDED IN PARAGRAPHS (8) THROUGH (10) OF THIS**
18 **SUBSECTION AND SUBJECT TO PARAGRAPH (7) OF THIS SUBSECTION, A PERSON MAY**
19 **NOT HUNT ON SUNDAY IN:**

20 **(I) BALTIMORE CITY;**

21 **(II) BALTIMORE COUNTY;**

22 **(III) HOWARD COUNTY; OR**

23 **(IV) PRINCE GEORGE'S COUNTY.**

24 **(13) A PERSON MAY NOT HUNT MIGRATORY GAME BIRDS ON SUNDAY.**

25 **(14) A PERSON MAY NOT HUNT ON PUBLIC LAND WITHIN THE STATE**
26 **PARK SYSTEM ON SUNDAY.**

27 **(15) THE DEPARTMENT MAY NOT ALLOW A PERSON TO HUNT ON**
28 **PUBLIC LAND DESIGNATED FOR HUNTING BY THE DEPARTMENT ON SUNDAY**
29 **EXCEPT IN:**

30 **(I) ALLEGANY COUNTY;**

- 1 (II) CECIL COUNTY;
- 2 (III) GARRETT COUNTY;
- 3 (IV) ST. MARY'S COUNTY;
- 4 (V) WASHINGTON COUNTY;
- 5 (VI) DORCHESTER COUNTY, FOR TURKEY DURING THE SPRING
 6 TURKEY HUNTING SEASON; AND
- 7 (VII) FREDERICK COUNTY, FOR DEER FROM THE FIRST SUNDAY
 8 IN OCTOBER THROUGH THE SECOND SUNDAY IN JANUARY OF THE FOLLOWING
 9 YEAR, INCLUSIVE.

10 Chapter 459 of the Acts of 2017

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
 12 1, 2017. [It shall remain effective for a period of 5 years and, at the end of June 30, 2022,
 13 with no further action required by the General Assembly, this Act shall be abrogated and
 14 of no further force and effect.]

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

17 Article – Natural Resources

18 10–410.

19 (a) (3) (i) Subject to subparagraph (ii) of this paragraph, the Department
 20 may allow a person to hunt deer on each Sunday of the deer hunting seasons from 30
 21 minutes before sunrise until 10:30 a.m. in[:

22 1.] Kent County[; and

23 2. Montgomery County].

24 (ii) The time restrictions [in] UNDER this paragraph do not apply:

25 1. To a participant in a junior deer hunt authorized under
 26 this subtitle;

27 2. On one Sunday designated by the Department during the
 28 deer firearms season; AND

1 3. [In Kent County, on] ON each Sunday during the deer bow
 2 hunting season and the deer muzzle loader season]; and

3 4. In Montgomery County, on one Sunday designated by the
 4 Department during the deer bow hunting season].

5 (4) The Department may allow a person to hunt deer during the deer
 6 firearms season:

7 (i) On each Sunday in:

8 1. Calvert County;

9 2. Caroline County;

10 3. Charles County;

11 4. Harford County;

12 5. Queen Anne's County;

13 6. Somerset County; and

14 7. Worcester County; [and]

15 (ii) On the first Sunday in:

16 1. Anne Arundel County; [and]

17 2. **MONTGOMERY COUNTY; AND**

18 3. Talbot County; and

19 (iii) In Wicomico County, on:

20 1. The first Sunday; and

21 2. The second Sunday from 30 minutes before sunrise until
 22 10:30 a.m.

23 (5) The Department may allow a person to hunt deer during the deer bow
 24 hunting season on:

25 (i) The last three Sundays in October and the first two Sundays in
 26 November in:

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- 1 1. Calvert County;
- 2 2. Caroline County;
- 3 3. Charles County;
- 4 4. Harford County;
- 5 5. Queen Anne's County;
- 6 6. Somerset County;
- 7 7. Talbot County;
- 8 8. Wicomico County; and
- 9 9. Worcester County; and

10 (ii) The first Sunday in November in:

- 11 1. Anne Arundel County; AND
- 12 2. MONTGOMERY COUNTY.

13 SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take
 14 effect July 1, 2022.

15 SECTION ~~2~~ 4. AND BE IT FURTHER ENACTED, That, except as provided in
 16 Section 3 of this Act, this Act shall take effect June 1, 2020.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.