

**Department of Legislative Services**  
Maryland General Assembly  
2024 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

House Bill 1238 (Delegate Jacobs)  
Environment and Transportation

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**Fisheries - Striped Bass - Closed Season**

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This emergency bill establishes that – regardless of any other provision of State fisheries law, including an existing provision requiring the State’s fishery resources to be harvested in accordance with an adopted fishery management plan – a person may not catch or attempt to catch striped bass or striped bass hybrids in the Chesapeake Bay or its tidal tributaries from March 1 through May 15, inclusive, in any year for which the Department of Natural Resources (DNR) does not establish a spring trophy season for striped bass.

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**Fiscal Summary**

**State Effect:** Special fund revenues may decrease, likely minimally, as discussed below. Expenditures are not affected.

**Local Effect:** None.

**Small Business Effect:** Potential meaningful.

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**Analysis**

**Current Law:**

*Fishery Management Plans*

DNR is required by statute to prepare fishery management plans for various listed species, including striped bass or rockfish, and has specified authority to prepare plans for additional species. The plans contain a systematic description of a given fishery and the objectives and conservation and management measures for the fishery. Various

requirements apply to both the plans and the conservation and management measures in the plans. Once a fishery management plan has been adopted by regulation, the fishery must be harvested in accordance with the conservation and management measures in the plan and any regulations implementing or amending that plan.

### *Department of Natural Resources Regulations*

DNR emergency regulations took effect February 9, 2024, (and expire June 15, 2024), which alter the seasons and open areas for striped bass in the recreational and charter boat fishery for the 2024 season. The regulations:

- repeal the 2024 recreational and charter boat spring (trophy) season for taking striped bass (that would have been from May 1 through May 15);
- extend the period during which a person is prohibited from targeting striped bass or striped bass hybrids in the Chesapeake Bay or its tidal tributaries, with the period changing from April 1 through April 30, inclusive, to April 1 through May 15, inclusive, for the 2024 season; and
- repeal the 2024 recreational and charter boat early summer and fall season for taking striped bass in the Susquehanna Flats, Susquehanna River, and Northeast River and consequently prohibit the targeting of striped bass in the Susquehanna Flats, Susquehanna River, and the Northeast River from May 16, 2024, through May 31, 2024, inclusive.

The emergency regulations, however, do not affect the availability, under DNR regulations, of recreational catch-and-release fishing for striped bass, other than in specified striped bass spawning rivers and areas, during the period from March 1 through March 31.

**State Revenues:** Special fund (Fisheries Research and Development Fund) revenues from recreational fishing license fees may decrease in fiscal years in which the bill's prohibition has an effect (years in which DNR does not establish a spring trophy season for striped bass), to the extent that individuals choose not to purchase a license because of the bill's prohibition. In 2024, when accounting for the existing emergency regulations that already prohibit targeting (including for catch and release fishing) of striped bass from April 1 through May 15, the bill's prohibition has the effect of expanding that existing prohibition to also cover March 1 through March 31, (should this emergency measure be enacted by then). The extent of any decrease in special fund revenues cannot be reliably estimated but is likely relatively minimal due to the relatively limited scope of the bill's prohibition in the context of overall recreational fishing opportunities available to licensees each year.

**Small Business Effect:** Small businesses in, or affected by, the recreational fishing industry (including charter boat businesses and bait and tackle stores) may be meaningfully

affected by the bill. The bill's prohibition may result in loss of revenue for affected businesses; however, DNR has indicated in the past that conservation measures similar to the bill's prohibition (such as the recently adopted emergency regulations) are intended to increase the population of striped bass and the resilience of the fishery, which would have a long-term positive impact on all participants in the striped bass fishery, including charter boat businesses, recreational anglers, and commercial harvesters.

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### **Additional Information**

**Recent Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** SB 1053 (Senators Mautz and Carozza) - Education, Energy, and the Environment.

**Information Source(s):** Department of Natural Resources; Department of Legislative Services

**Fiscal Note History:** First Reader - February 25, 2024  
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