

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulation
Department of Natural Resources
(DLS Control No. 20-041)**

Overview and Legal and Fiscal Impact

The regulation clarifies and amends the standards and restrictions related to the weapons that are authorized to be used for deer hunting.

The regulation presents no legal issues of concern.

There is no fiscal impact on State or local agencies.

Regulation of COMAR Affected

Department of Natural Resources:

Wildlife: Forest Wildlife: COMAR 08.03.04.05

Legal Analysis

Summary of Regulation

The regulation (1) authorizes the use of straight-walled cartridges for hunting deer with a rifle or a handgun in specified counties; (2) specifies that during February deer season, or during times when the deer muzzle loader and archery seasons overlap, a hunter may not possess both a muzzle loading firearm and a bow while hunting; and (3) prohibits the use of certain equipment in conjunction with a primitive weapon. Finally the regulation specifies that during the February deer hunting season (1) only primitive weapons may be used; (2) the use of crossbows is prohibited; and (3) the use of muzzle loading firearms during this season is restricted.

Legal Issues

The regulation presents no legal issues of concern.

Statutory Authority and Legislative Intent

The department cites § 10-408 of the Natural Resources Article as statutory authority for the regulation. Section 10-408 requires the department to set by regulation the means or weapons used for hunting wildlife, and any restrictions related to these weapons.

This authority is correct and complete. The regulation complies with the legislative intent of the law.

Technical Corrections and Special Notes

The term “primitive weapons” is being defined in a separate proposed regulation (see DLS Control No. 20-040). Additionally, the three-day deer hunting season in February referenced in this regulation, during which only “primitive weapons” may be used, is being established under another set of proposed regulations (see DLS Control No. 20-042).

Fiscal Analysis

There is no fiscal impact on State or local agencies.

Agency Estimate of Projected Fiscal Impact

The department advises that the regulation has no impact on State or local governments. The Department of Legislative Services concurs; the regulation is primarily clarifying in nature.

Impact on Budget

There is no impact on the State operating or capital budget.

Agency Estimate of Projected Small Business Impact

The department advises that the regulation has minimal or no economic impact on small businesses in the State. The Department of Legislative Services concurs.

Contact Information

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