

**Maryland General Assembly  
Department of Legislative Services**

**Proposed Regulations  
Department of Natural Resources**  
(DLS Control No. 20-042)

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## **Overview and Legal and Fiscal Impact**

The regulations establish the dates and bag limits for the 2020-2021 and 2021-2022 hunting seasons for forest and upland game, fur-bearing mammals, and deer.

The regulations present no legal issues of concern.

There is no fiscal impact on State or local agencies.

## **Regulations of COMAR Affected**

### **Department of Natural Resources:**

Wildlife: Open Seasons, Bag Limits for Game Birds and Game Animals:  
COMAR 08.03.03.03, .04, .05, .07, and .08

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## **Legal Analysis**

### **Background**

Every two years the Department of Natural Resources adopts regulations establishing the dates and bag limits for the ensuing two hunting seasons for forest and upland game, fur-bearing mammals, and deer.

### **Summary of Regulations**

The regulations establish the dates and bag limits for the 2020-2021 and 2021-2022 hunting seasons for forest and upland game, fur-bearing mammals, and deer. Of note, in comparison to the regulations in effect for the 2019-2020 hunting season, the regulations make the following changes:

- add a three-day deer hunting season to the deer archery and muzzleloader seasons in February, during which only certain “primitive weapons” may be used;
- authorize one additional antlerless deer to be harvested in Region A during the new February season;

- establish and define a “suburban deer management zone” encompassing Anne Arundel, Baltimore, Howard, Montgomery, and Prince George’s counties, where the bag limit for antlerless deer will be unlimited during the archery season;
- clarify that when the archery and muzzleloader seasons for hunting deer overlap, a hunter may only possess one of the weapons while deer hunting;
- authorize a hunter in Region A to use a Bonus Antlered Deer Stamp to take a second antlered deer when the hunter already harvested one in Region B during the same weapon season;
- allow coyote to be hunted day and night throughout the year; and
- make seasons for trapping skunk consistent across the State.

### **Legal Issues**

The regulations present no legal issues of concern.

### **Statutory Authority and Legislative Intent**

The department cites §§ 10-205, 10-405, 10-410, and 10-415 of the Natural Resources Article as statutory authority for the regulations. More specifically, § 10-205 grants the department broad regulatory authority to govern the hunting or possession of wildlife in the State; and § 10-405 requires the department to establish by regulation the open season to hunt forest and upland game birds and mammals. Section 10-410 specifies the Sundays on which a person can hunt game birds or mammals, and § 10-415 establishes general rules relating to deer hunting.

This authority is correct and complete. The regulations comply with the legislative intent of the law.

### **Technical Corrections and Special Notes**

The regulations establish a three-day deer hunting season in February, during which only “primitive weapons” may be used. The regulations do not directly define the term “primitive weapons” but instead cross-reference a definition in COMAR 08.03.01.01, which is being added in a separate proposed regulation (see DLS Control No. 20-040).

### **Fiscal Analysis**

There is no fiscal impact on State or local agencies.

## **Agency Estimate of Projected Fiscal Impact**

The department advises that the regulations have no impact on State or local governments. The Department of Legislative Services concurs.

## **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 regulations have a meaningful economic impact on small businesses in the State. The Department of Legislative Services concurs; in addition to allowing for the continuation of hunting for the next two seasons, the regulations also expand hunting opportunities (as described above). Authorizing additional hunting likely has a meaningful economic impact on certain types of businesses throughout the State that provide food, lodging, equipment, transportation, etc. Further, since the regulations authorize additional deer hunting opportunities, farms, many of which are small businesses, may benefit from a reduction in agricultural damage from deer. Finally, the regulations may affect vehicle owners and businesses involved in the repair of vehicles. Reducing the deer population in the State likely reduces the number of deer-vehicle collisions, which has a positive impact on vehicle owners and a corresponding negative impact on vehicle repair businesses.

## **Contact Information**

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