
By: Delegates Harkins and Fry

Introduced and read first time: January 26, 1996

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 Prohibition Against Hunting, Importing, and Selling Game - Exception

3 FOR the purpose of authorizing an exception to a certain prohibition against hunting,
4 importing, and selling game birds or game mammals where a person imports,
5 possesses, sells, offers for sale, purchases, offers to purchase, barter, or exchanges
6 imported, domestically raised, officially inspected, processed, and lawfully obtained
7 venison, other than white-tailed and sika venison; specifying recordkeeping
8 requirements for the importation and sale of certain venison; and generally relating
9 to certain exceptions from a certain prohibition against hunting, importing, and
10 selling game birds or game mammals.

11 BY repealing and reenacting, with amendments,
12 Article - Natural Resources
13 Section 10-404
14 Annotated Code of Maryland
15 (1990 Replacement Volume and 1995 Supplement)

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

18 **Article - Natural Resources**

19 10-404.

20 (A) (1) NOTWITHSTANDING THE PROVISIONS OF SUBSECTIONS (B)
21 THROUGH (D) OF THIS SECTION, A PERSON MAY IMPORT, SELL, OFFER FOR SALE,
22 PURCHASE, OFFER TO PURCHASE, BARTER, OR EXCHANGE IMPORTED,
23 DOMESTICALLY RAISED, OFFICIALLY INSPECTED, AND PROCESSED VENISON THAT
24 THE PERSON LAWFULLY OBTAINS, OTHER THAN WHITE-TAILED AND SIKA VENISON.

25 (2) A PERSON WHO IMPORTS, SELLS, OR OFFERS FOR SALE VENISON
26 SHALL MAINTAIN RECORDS DOCUMENTING THE LAWFUL ORIGIN OF ANY VENISON
27 IMPORTED OR SOLD, INCLUDING THE SPECIES OF DEER, COUNTRY OR STATE OF
28 ORIGIN, THE PERSON FROM WHOM THE VENISON WAS OBTAINED, DATE OF
29 DELIVERY, BY WHOM THE VENISON WAS INSPECTED, AND QUANTITY OF VENISON.

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1 (3) THESE RECORDS SHALL BE KEPT BY THE IMPORTER OR SELLER AT
2 THE IMPORTER'S OR SELLER'S PLACE OF BUSINESS FOR A PERIOD OF 1 YEAR
3 FOLLOWING DELIVERY OF THE VENISON.

4 (4) THE IMPORTER OR SELLER SHALL ALLOW THE DEPARTMENT TO
5 INSPECT THESE RECORDS AT THE IMPORTER'S OR SELLER'S PLACE OF BUSINESS AT
6 ANY REASONABLE TIME.

7 (5) THIS SUBSECTION DOES NOT EXEMPT A PERSON WHO IMPORTS,
8 SELLS, OR OFFERS FOR SALE VENISON FROM APPLICABLE PROVISIONS OF TITLE 21,
9 SUBTITLES 2 AND 3 OF THE HEALTH - GENERAL ARTICLE.

10 [(a)] (B) A person may not hunt or attempt to hunt any game bird or mammal
11 except during open season, or possess any game bird or mammal during any closed season
12 whether hunted in the State or in another state, territory, or country. However, a person
13 may possess any dead game bird or dead game mammal for 5 days and dead deer for 30
14 days after the season closes for use as food. Also, a licensed hunter may obtain a permit
15 from the Department during open season or within 5 days after open season closes to
16 possess any frozen game bird or mammal for a period not exceeding 180 days.

17 [(b)] (C) A person may ship or bring into the State by express or as baggage any
18 game bird or mammal the person legally killed in any other state, territory, or country, if
19 the person accompanies the game bird or mammal and presents a hunter's license or
20 permit of the other state, territory, or country where the game bird or mammal was killed
21 if the document is required by the other state, territory, or country. However, game birds
22 and mammals or any part of them brought into the State may not be sold or offered for
23 sale.

24 [(c)] (D) Except as provided in § 10-512(a)(2)(ii) of this title, a person may not
25 sell, offer for sale, purchase, offer to purchase, barter, or exchange, at any time within the
26 State any game bird or game mammal taken from the wild, except the meat, pelt or
27 carcass of any coyote, muskrat, raccoon, mink, otter, nutria, opossum, beaver, fox,
28 long-tail weasel, fisher, or skunk, whether caught in the State or in another state,
29 territory, or country.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 1996.