
**By: Delegates Harkins, Edwards, Poole, McKee, Donoghue, Preis, D. Murphy, Jacobs,
M. Burns, O'Donnell, Bissett, and Hutchins**

Introduced and read first time: January 23, 1997

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Sport Shooting Ranges - Civil Nuisance Actions**

3 FOR the purpose of prohibiting a person from bringing a nuisance action for noise
4 against a person who owns, operates, or uses a sport shooting range under certain
5 circumstances; establishing a certain exception; providing for the construction of
6 this Act; and generally relating to sport shooting ranges and civil nuisance actions.

7 BY adding to

8 Article - Courts and Judicial Proceedings
9 Section 5-399.8
10 Annotated Code of Maryland
11 (1995 Replacement Volume and 1996 Supplement)

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

14 **Article - Courts and Judicial Proceedings**

15 5-399.8.

16 (A) IN THIS SECTION, "SPORT SHOOTING RANGE" MEANS AN AREA DESIGNED
17 AND USED FOR TRAPSHOOTING, SKEETSHOOTING, OR OTHER TARGET SHOOTING.

18 (B) (1) EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (4) OF THIS
19 SUBSECTION, A PERSON MAY NOT BRING A CIVIL NUISANCE ACTION FOR NOISE
20 AGAINST A PERSON WHO OWNS, OPERATES, OR USES A SPORT SHOOTING RANGE
21 LOCATED WITHIN THE VICINITY OF THE PROPERTY OF THE PERSON BRINGING THE
22 ACTION IF THE SPORT SHOOTING RANGE WAS ESTABLISHED AS OF THE DATE THE
23 PERSON ACQUIRED THE PROPERTY.

24 (2) A PERSON WHO OWNS PROPERTY IN THE VICINITY OF A SPORT
25 SHOOTING RANGE THAT WAS ESTABLISHED AFTER THE PERSON ACQUIRED THE
26 PROPERTY MAY BRING A CIVIL NUISANCE ACTION FOR NOISE AGAINST THE SPORT
27 SHOOTING RANGE ONLY IF THE ACTION IS BROUGHT WITHIN 5 YEARS AFTER
28 ESTABLISHMENT OF THE SPORT SHOOTING RANGE OR 3 YEARS AFTER A
29 SUBSTANTIAL CHANGE IN THE USE OF THE SPORT SHOOTING RANGE.

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1 (3) IF THERE HAS BEEN NO SHOOTING ACTIVITY AT A SPORT SHOOTING
2 RANGE FOR A PERIOD OF 3 CONSECUTIVE YEARS, THE RESUMPTION OF SHOOTING
3 IS CONSIDERED ESTABLISHMENT OF A NEW SPORT SHOOTING RANGE FOR
4 PURPOSES OF THIS SECTION.

5 (4) THIS SECTION MAY NOT BE CONSTRUED TO LIMIT A NUISANCE
6 ACTION AGAINST A SPORT SHOOTING RANGE ESTABLISHED AFTER OCTOBER 1, 1997.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 1997.