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By: **Delegate Weir**

Introduced and read first time: February 9, 1998

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Hunting - Killing Wildlife by Accident or Mistake**

3 FOR the purpose of providing that a person who kills wildlife under certain conditions  
4 pay certain restitution to the State; and generally relating to hunting and the  
5 payment of restitution.

6 BY repealing and reenacting, with amendments,  
7 Article - Natural Resources  
8 Section 10-1107  
9 Annotated Code of Maryland  
10 (1990 Replacement Volume and 1997 Supplement)

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

13 **Article - Natural Resources**

14 10-1107.

15 (a) (1) [If] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,  
16 IF a person is convicted of violating any provision of this title and the violation causes  
17 or results in the injury, death, or destruction of any wildlife, including a protected  
18 species of animal, in addition to any other penalty provided in this title, the court may  
19 order the person to pay restitution to the State for the resource value of the wildlife,  
20 as determined by the court, taking into account regulations adopted by the  
21 Department under subsection (b) of this section.

22 (2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS  
23 PARAGRAPH, A PERSON WHO, WHILE HUNTING FOR WILDLIFE THAT MAY BE  
24 LAWFULLY TAKEN, BY ACCIDENT OR MISTAKE KILLS ANY WILDLIFE CONTRARY TO  
25 THE PROVISIONS OF THIS TITLE:

26 1. SHALL PAY RESTITUTION TO THE STATE FOR THE  
27 RESOURCE VALUE OF THE WILDLIFE, AS DETERMINED BY THE COURT, TAKING INTO



1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2 October 1, 1998.