
By: **Senator Astle**

Introduced and read first time: January 19, 2005

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources - Hunting - Penalties**

3 FOR the purpose of increasing the fines imposed by the Department of Natural
4 Resources on individuals who illegally take, purchase, offer, sell, barter, or
5 exchange game birds or mammals in excess of certain bag limits; requiring that
6 certain revenues generated by certain fines be paid to the State Wildlife
7 Management and Protection Fund; and generally relating to increasing the
8 penalties for illegally taking game animals.

9 BY repealing and reenacting, with amendments,
10 Article - Natural Resources
11 Section 10-1101
12 Annotated Code of Maryland
13 (2000 Replacement Volume and 2004 Supplement)

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

16 **Article - Natural Resources**

17 10-1101.

18 (a) For the purpose of this title, each game bird or mammal taken illegally,
19 purchased, offered for purchase, sold, bartered, or exchanged in excess of the bag limit
20 or possessed illegally constitutes a separate offense.

21 (b) Any person who violates any provision of this title is guilty of a
22 misdemeanor. Unless another penalty is specifically provided elsewhere in this title,
23 the person, upon conviction, is subject to a fine not exceeding [\$1,500] \$4,500, with
24 costs imposed in the discretion of the court.

25 (c) (1) Unless another penalty is specifically provided elsewhere in this title
26 any person found guilty of a second or subsequent violation of any provision of this
27 title, is subject to a fine not exceeding [\$4,000] \$12,000, or imprisonment not
28 exceeding 1 year, or both, with costs imposed in the discretion of the court.

1 (2) In addition, the license under which the person operated in the
2 commission of the violation shall be suspended for 12 months from the date of the
3 second conviction.

4 (3) For the purpose of this subsection, a second or subsequent violation is
5 a violation which has occurred within 2 years of any prior violation of this title and
6 which arises out of a separate set of circumstances.

7 (d) In addition to any administrative penalty provided in this title, violation of
8 any regulation adopted by any unit within the Department pursuant to the provisions
9 of this title is a misdemeanor and is punishable as provided in subsections (b) and (c)
10 of this section.

11 (e) This section does not apply to a violation of § 10-424(2) of this title.

12 (F) IF A FINE IS IMPOSED UNDER THIS SECTION, THE FINE, LESS THE COSTS
13 OF COLLECTION, SHALL BE PAID TO THE STATE WILDLIFE MANAGEMENT AND
14 PROTECTION FUND.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2005.