
By: **Delegates Lawton, Barkley, Barve, Bronrott, V. Clagett, Conroy, Cryor, Dumais, Franchot, Frush, Glassman, Gutierrez, Heller, Hixson, Hogan, Holmes, Hubbard, Jennings, Kaiser, Kelly, Madaleno, Mandel, McComas, McConkey, McHale, McIntosh, Montgomery, Petzold, Quinter, Sossi, Stern, Stull, F. Turner, and Weldon**

Introduced and read first time: February 9, 2006

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Hunting - Computer-Assisted Remote Hunting - Prohibition**

3 FOR the purpose of prohibiting computer-assisted remote hunting; prohibiting
4 certain activities with a computer, camera, or certain other technologies for the
5 purpose of engaging in computer-assisted remote hunting; prohibiting the
6 possession of any bird or mammal captured or killed by or with the assistance of
7 computer-assisted remote hunting; prohibiting the transport into or out of the
8 State of any bird or mammal that was killed or captured by or with the
9 assistance of computer-assisted remote hunting; requiring the Department of
10 Natural Resources to seize any bird or mammal possessed in violation of the
11 provisions of this Act; requiring the Department to revoke certain licenses
12 issued to persons convicted of violations of the provisions of this Act; prohibiting
13 the Department from issuing certain licenses to persons convicted of violations
14 of this Act for a certain period of time; defining a certain term; and generally
15 relating to a prohibition on computer-assisted remote hunting.

16 BY adding to
17 Article - Natural Resources
18 Section 10-426
19 Annotated Code of Maryland
20 (2000 Replacement Volume and 2005 Supplement)

21 BY repealing and reenacting, without amendments,
22 Article - Natural Resources
23 Section 10-1101
24 Annotated Code of Maryland
25 (2000 Replacement Volume and 2005 Supplement)

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

1 **Article - Natural Resources**

2 10-426.

3 (A) IN THIS SECTION, "COMPUTER-ASSISTED REMOTE HUNTING" MEANS
4 HUNTING BY USING A COMPUTER OR ANY OTHER TECHNOLOGY TO REMOTELY
5 CONTROL:

6 (1) THE AIMING OR DISCHARGING OF A WEAPON, INCLUDING ANY
7 FIREARM, BOW AND ARROW, SPEAR, SLINGSHOT, HARPOON, OR ANY OTHER
8 PROJECTILE DEVICE; OR

9 (2) THE SETTING OR ACTIVATION OF A TRAP.

10 (B) A PERSON MAY NOT:

11 (1) ENGAGE IN COMPUTER-ASSISTED REMOTE HUNTING;

12 (2) ACTIVATE, MODIFY, OR OPERATE A COMPUTER FOR THE PURPOSE OF
13 ENGAGING IN COMPUTER-ASSISTED REMOTE HUNTING;

14 (3) PLACE, ACTIVATE, MODIFY, OR OPERATE A CAMERA OR ANY OTHER
15 VISUAL TECHNOLOGY FOR THE PURPOSE OF ENGAGING IN COMPUTER-ASSISTED
16 REMOTE HUNTING;

17 (4) POSSESS ANY BIRD OR MAMMAL THAT WAS CAPTURED OR KILLED BY
18 OR WITH THE ASSISTANCE OF COMPUTER-ASSISTED REMOTE HUNTING; OR

19 (5) TRANSPORT INTO OR OUT OF THE STATE ANY BIRD OR MAMMAL
20 THAT WAS CAPTURED OR KILLED BY OR WITH THE ASSISTANCE OF
21 COMPUTER-ASSISTED REMOTE HUNTING.

22 (C) THE DEPARTMENT SHALL SEIZE ANY BIRD OR MAMMAL THAT IS
23 POSSESSED IN VIOLATION OF THIS SECTION.

24 (D) (1) THE DEPARTMENT SHALL REVOKE ALL LICENSES ISSUED BY THE
25 DEPARTMENT UNDER THIS TITLE TO ANY PERSON CONVICTED OF A VIOLATION OF
26 THIS SECTION.

27 (2) THE DEPARTMENT MAY NOT ISSUE ANY LICENSE UNDER THIS TITLE
28 TO A PERSON CONVICTED OF A VIOLATION OF THIS SECTION FOR A PERIOD NOT LESS
29 THAN 3 YEARS AND NOT EXCEEDING 5 YEARS.

30 10-1101.

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

34 (b) Any person who violates any provision of this title is guilty of a
35 misdemeanor. Unless another penalty is specifically provided elsewhere in this title,

1 the person, upon conviction, is subject to a fine not exceeding \$1,500, with costs
2 imposed in the discretion of the court.

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

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

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

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

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

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2006.