

SENATE BILL 271

M2

71r1589

By: **Senator Edwards**

Introduced and read first time: January 31, 2007

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Hunting – Exemptions from License and Stamp Requirement**

3 FOR the purpose of expanding the exemption from the hunting license and stamp
4 requirement for hunting on farmland to include certain persons who live on,
5 work on, or manage the farmland; and generally relating to the exemptions for
6 the hunting license and stamp requirement.

7 BY repealing and reenacting, without amendments,
8 Article – Natural Resources
9 Section 10–301(a) and (b)
10 Annotated Code of Maryland
11 (2000 Replacement Volume and 2006 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – Natural Resources
14 Section 10–301(c)
15 Annotated Code of Maryland
16 (2000 Replacement Volume and 2006 Supplement)

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

19 **Article – Natural Resources**

20 10–301.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) In this section, “child” includes:

- 2 (1) Foster child;
- 3 (2) Foster grandchild;
- 4 (3) Grandchild;
- 5 (4) Stepchild; and
- 6 (5) Stepgrandchild.

7 (b) To provide a fund to pay the expense of protecting and managing wildlife,
8 and preventing unauthorized persons from hunting them, a person may not hunt or
9 attempt to hunt during open season and in any permitted manner any game birds and
10 mammals in the State without first having procured either a resident or nonresident
11 hunter’s license. A person may not hunt or attempt to hunt nongame birds and
12 mammals in Baltimore County or Frederick County without first obtaining a license.
13 A permanent resident of a government reservation may obtain a resident hunter’s
14 license.

15 (c) (1) Except as provided in paragraph (2) of this subsection, the
16 following persons are not required to obtain a hunter’s license, bow and arrow stamp,
17 black powder stamp, or bonus antlered deer stamp:

18 (i) With respect to hunting on farmland only:

19 1. The resident owner of the farmland and the owner’s
20 spouse and child;

21 2. A tenant and the tenant’s spouse and child. A tenant
22 is a person holding land under a lease, or a sharecropper who resides in a dwelling on
23 the land, but a tenant does not include any employee of the owner or tenant; and

24 3. A nonresident owner of a parcel of farmland and the
25 owner’s spouse and child if:

26 A. The parcel of farmland is located in Maryland and an
27 adjacent state;

28 B. The owner’s primary residence is on the parcel of
29 farmland; and

1 C. The adjacent state extends similar privileges to a
2 resident of Maryland;

3 (ii) Any resident serving in the armed forces of the United
4 States while on leave in the State, during the resident's leave period, if, while hunting,
5 the resident possesses a copy of the resident's official leave order; and

6 (iii) Any unarmed person participating in an organized foxhunt.

7 (2) (I) [In] **EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF**
8 **THIS PARAGRAPH, IN** order to qualify for the license and stamp exemption in
9 accordance with paragraph (1) of this subsection, a child must be eligible to purchase a
10 junior resident or junior nonresident hunting license.

11 (II) **IF A CHILD IS INELIGIBLE TO PURCHASE A JUNIOR**
12 **RESIDENT OR JUNIOR NONRESIDENT HUNTING LICENSE, THE CHILD SHALL**
13 **QUALIFY FOR THE LICENSE AND STAMP EXEMPTION IF THE CHILD LIVES ON,**
14 **WORKS ON, OR MANAGES THE FARMLAND.**

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 July 1, 2007.