

# SENATE BILL 271

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By: ~~Senator Edwards~~ **Senators Edwards and Colburn, Colburn, Middleton, and Stoltzfus**

Introduced and read first time: January 31, 2007

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: March 8, 2007

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## CHAPTER \_\_\_\_\_

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 spouses and certain  
5 persons who live on, work on, or manage the farmland; and generally relating to  
6 the exemptions for 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)

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**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article – Natural Resources**

4 10–301.

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

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

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

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

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

23 1. The resident owner of the farmland and the owner’s  
24 spouse ~~and~~, child, **AND CHILD’S SPOUSE**;

25 2. A tenant and the tenant’s spouse ~~and~~, child, **AND**  
26 **CHILD’S SPOUSE**. A tenant is a person holding land under a lease, or a sharecropper  
27 who resides in a dwelling on the land, but a tenant does not include any employee of  
28 the owner or tenant; and

1 3. A nonresident owner of a parcel of farmland and the  
2 owner's spouse ~~and~~, child, **AND CHILD'S SPOUSE** if:

3 A. The parcel of farmland is located in Maryland and an  
4 adjacent state;

5 B. The owner's primary residence is on the parcel of  
6 farmland; and

7 C. The adjacent state extends similar privileges to a  
8 resident of Maryland;

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

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

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

17 (II) **IF A CHILD IS INELIGIBLE TO PURCHASE A JUNIOR**  
18 **RESIDENT OR JUNIOR NONRESIDENT HUNTING LICENSE, THE CHILD SHALL**  
19 **QUALIFY FOR THE LICENSE AND STAMP EXEMPTION IF THE CHILD ~~LIVES ON,~~**  
20 **~~WORKS ON, OR MANAGES THE FARMLAND:~~**

21 **1. LIVES ON THE FARMLAND;**

22 **2. WORKED ON THE FARMLAND FOR 30 OR MORE**  
23 **DAYS DURING THE PRIOR 12-MONTH PERIOD; OR**

24 **3. MANAGES THE FARMLAND.**

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