

## CHAPTER 266

(House Bill 1158)

AN ACT concerning

### Shellfish Dealers – Licensure

FOR the purpose of requiring a person who deals in shellfish to obtain a license issued by the Department of Natural Resources; providing for certain exceptions to the licensure requirement for a person who deals in shellfish; requiring the Department to adopt certain regulations; requiring the Department to adopt certain regulations to define the species that are included as shellfish for certain purposes; and generally relating to the licensure of shellfish dealers.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 4–702  
Annotated Code of Maryland  
(2005 Replacement Volume and 2006 Supplement)

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

### Article – Natural Resources

4–702.

(a) Except as provided in subsection (b), a person may not buy, sell, ship, transport, or otherwise deal in finfish **OR SHELLFISH** unless the person is licensed by the Department.

(b) The following persons are not required to obtain a license under this section:

(1) A person licensed by the Department to catch finfish **OR SHELLFISH** for sale;

(2) A retail market, restaurant, or other establishment where finfish **OR SHELLFISH** are sold or served to ultimate consumers, and not for resale;

(3) A person who buys finfish OR SHELLFISH for personal use or consumption; and

(4) A person who catches and sells as bait finfish OR SHELLFISH species defined as bait under subsection (c) of this section.

(c) The Department shall adopt regulations defining which species of finfish AND SHELLFISH may be caught and sold as bait under subsection (b)(4) of this section.

**(D) THE DEPARTMENT SHALL ADOPT REGULATIONS TO DEFINE THE SPECIES THAT ARE INCLUDED AS SHELLFISH UNDER ~~SUBSECTION (A) OF THIS SECTION.~~**

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

**Approved by the Governor, April 24, 2007.**