

HOUSE BILL 858

M2

0lr1323

By: **Montgomery County Delegation**

Introduced and read first time: February 10, 2010

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Leghold or Body–Gripping Traps – Prohibition**

3 **MC 16–10**

4 FOR the purpose of expanding the application of the prohibition against the use,
5 setting, placement, or maintenance of a leghold or body–gripping trap in
6 Montgomery County; making a certain technical correction; making a stylistic
7 change; and generally relating to the leghold or body–gripping trap prohibition
8 in Montgomery County.

9 BY repealing and reenacting, with amendments,
10 Article – Natural Resources
11 Section 10–410(o)
12 Annotated Code of Maryland
13 (2007 Replacement Volume and 2009 Supplement)

14 BY adding to
15 Article – Natural Resources
16 Section 10–410(o–1)
17 Annotated Code of Maryland
18 (2007 Replacement Volume and 2009 Supplement)

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

21 **Article – Natural Resources**

22 10–410.

23 (o) (1) In Anne Arundel, Baltimore, Howard, [Montgomery,] and Prince
24 George’s counties, a person may not use, set, place, or maintain any steel jaw leghold

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 trap on land. The steel jaw leghold trap may be used for the capture of fur-bearing
2 mammals in water only.

3 (2) This subsection does not apply to:

4 (i) Traps set on farmland by the owner of the farmland, by the
5 owner's agent or tenant, owner's lessee, or by any member of the owner's or tenant's
6 immediate family who resides on the farmland; or

7 (ii) Traps set by an authorized agent of the [Maryland Forest,
8 Park and Wildlife Service] **DEPARTMENT** who exercises the [agent's] duties **OF THE**
9 **AGENT** for wildlife control under guidelines established by the Department.

10 **(O-1) (1) IN MONTGOMERY COUNTY, A PERSON MAY NOT USE, SET,**
11 **PLACE, OR MAINTAIN A LEGHOLD OR BODY-GRIPPING TRAP.**

12 **(2) THIS SUBSECTION DOES NOT APPLY TO A TRAP SET BY AN**
13 **AUTHORIZED AGENT OF THE DEPARTMENT WHO EXERCISES THE DUTIES OF THE**
14 **AGENT FOR WILDLIFE CONTROL UNDER GUIDELINES ESTABLISHED BY THE**
15 **DEPARTMENT.**

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 July 1, 2010.