

HOUSE BILL 1518

M2

0lr3560

By: **Delegates Holmes and O'Donnell**

Introduced and read first time: March 8, 2010

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources – Deer Hunting – Sundays**

3 FOR the purpose of repealing certain provisions of law authorizing deer hunting on
4 private property on certain Sundays in certain counties; authorizing the
5 Department of Natural Resources to allow a person to hunt deer on private
6 property on certain Sundays; providing for the application of this Act; and
7 generally relating to Sunday deer hunting on private land.

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

13 BY repealing and reenacting, without amendments,
14 Article – Natural Resources
15 Section 10–411 and 10–415
16 Annotated Code of Maryland
17 (2007 Replacement Volume and 2009 Supplement)

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

20 **Article – Natural Resources**

21 10–410.

22 (a) (1) Except as provided in paragraphs (2) and (3) of this subsection, a
23 person may not hunt any game bird or mammal on Sundays.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) The following persons may hunt the specified game birds and
2 mammals on Sundays:

3 (i) A person using State certified raptors to hunt game birds or
4 mammals during open season;

5 (ii) An unarmed person participating in an organized fox chase
6 to chase foxes; **AND**

7 (iii) Provided that the provisions of § 10–906(b)(3) of this title are
8 met, a person:

9 1. Using a regulated shooting ground under § 10–906 of
10 this title to hunt the following pen–reared game birds:

11 A. Pheasants;

12 B. Bobwhite quail;

13 C. Chukar partridge;

14 D. Hungarian partridge;

15 E. Tower released flighted mallard ducks; and

16 F. Turkey on a regulated shooting ground that was
17 permitted to release turkey before September 1, 1992; and

18 2. Having the written permission of the owner of the
19 land or other person designated by the owner of the land, if the land is owned or leased
20 by a person other than the person hunting on Sundays[]; and

21 (iv) Subject to the provisions of § 10–411 of this subtitle, in
22 Dorchester, Frederick, St. Mary’s, Somerset, Washington, Wicomico, and Worcester
23 counties, a person hunting deer on private property with a bow and arrow during open
24 season on the last three Sundays in October and the second Sunday in November.

25 (3) Provided that the provisions of § 10–415 of this subtitle are met
26 and subject to paragraph (4) of this subsection, the Department may allow a person to
27 hunt deer on private property on the first Sunday of:

28 (i) The bow hunting season in November; and

29 (ii) The deer firearms season.

30 (4) The Sunday deer hunting provisions under paragraph (3) of this
31 subsection do not apply:

1 (i) In Baltimore, Carroll, Howard, and Prince George's counties;
2 and

3 (ii) In Baltimore City].

4 **(3) (I) THIS PARAGRAPH DOES NOT APPLY IN BALTIMORE,**
5 **CARROLL, HOWARD, OR PRINCE GEORGE'S COUNTIES, OR BALTIMORE CITY.**

6 **(II) SUBJECT TO §§ 10-411 AND 10-415 OF THIS SUBTITLE,**
7 **THE DEPARTMENT MAY ALLOW A PERSON TO HUNT DEER ON PRIVATE**
8 **PROPERTY FROM THE FIRST SUNDAY IN OCTOBER THROUGH THE SECOND**
9 **SUNDAY IN JANUARY OF THE FOLLOWING YEAR, INCLUSIVE.**

10 10-411.

11 (a) A person may not upon any pretense come to hunt on the lands owned by
12 another person without the written permission of the landowner or the landowner's
13 agent or lessee.

14 (b) Any person hunting on this private property is liable for any damage the
15 person causes to the private property while hunting on the private property.

16 (c) The landowner may not be liable for accidental injury or damage to the
17 person whether or not the landowner or the landowner's agent gave permission to
18 hunt on the private property.

19 (d) In Harford County a person who violates subsection (a) of this section is
20 guilty of a misdemeanor and on conviction is subject to a fine of not less than \$25 and
21 not exceeding \$250.

22 10-415.

23 (a) There are the following 3 seasons to hunt deer:

24 (1) Deer bow hunting season;

25 (2) Deer firearms season; and

26 (3) Deer muzzle loader season.

27 (b) (1) Every person killing a deer shall report with the deer to a
28 designated checking station within 24 hours after killing the deer.

29 (2) Notwithstanding any requirement of law, if the designated
30 checking stations are closed in the county where a person kills a deer, a Natural

1 Resources police officer shall authorize the person to report with the deer to a
2 designated checking station in another county.

3 (c) (1) A person with a hunting license also may purchase bonus deer
4 stamps from the Department.

5 (2) A bonus deer stamp allows a person with the hunting license to
6 hunt 1 deer for each stamp purchased in any of the following hunting seasons for deer
7 in the State:

8 (i) Deer bow hunting season;

9 (ii) Deer muzzle loader season; and

10 (iii) Deer firearms season.

11 (3) An individual who purchases a bonus antlered deer stamp but does
12 not use it during a particular season may use that stamp during any subsequent
13 season in that hunting license year.

14 (4) The fee for each bonus antlered deer stamp issued in accordance
15 with this subsection shall be \$10.00 for residents and \$25.00 for nonresidents.

16 (5) The Department may establish by regulation the type and number
17 of deer stamps issued under this subsection if necessary to control the deer harvest in
18 various areas of the State.

19 (e) A person may not remove the head or hide or any part from any deer,
20 except internal organs, or cut the meat into parts until the deer has been checked by
21 the Department or 1 of the Department's agents at a designated checking station.
22 Removal of the head or the hide of any deer not checked at a designated checking
23 station shall be prima facie evidence that the deer was hunted illegally. Each separate
24 deer or part of any deer taken illegally or found in possession shall be considered a
25 separate offense.

26 (f) Any person who, while operating a motor vehicle on any highway in the
27 State, accidentally strikes and kills a deer on the highway may have the deer if the
28 person produces visible evidence of collision with the deer to any Natural Resources
29 police officer, State law enforcement officer, or other designated representative of the
30 Secretary. The provisions of this subsection shall be applicable to deer killed by
31 collision with a motor vehicle at any time whether during the open season for killing
32 deer or during the legally closed season.

33 (g) A person may not hunt a deer while the deer is taking refuge in or
34 swimming through the waters of the State.

35 (i) Upon written request from a federal facility for a variance from the
36 established deer hunting season, the Department shall review the request and may:

- 1 (1) Approve the request;
- 2 (2) Deny the request; or
- 3 (3) Approve the request with conditions.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 June 1, 2010.