

HOUSE BILL 355

M2

1lr1483

By: **Delegates Schulz, Afzali, Aumann, Boteler, Clagett, Cluster, Frank, Hershey, Hogan, Hough, McDermott, Minnick, Myers, Ready, Serafini, Smigiel, and Weir**

Introduced and read first time: February 3, 2011

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 8, 2011

CHAPTER _____

1 AN ACT concerning

2 **Natural Resources – Hunting – Junior Deer Hunt**

3 FOR the purpose of requiring the Department of Natural Resources to establish by
4 regulation and by a certain date each year a junior deer hunt to occur on certain
5 days during ~~the~~ be a deer hunting season; prohibiting the regulations from
6 authorizing the junior deer hunt to occur on certain Sundays in certain counties;
7 authorizing certain persons who are under a certain age to participate in the
8 junior deer hunt under certain circumstances; authorizing a person who
9 participates in the junior deer hunt to use a firearm to hunt deer during the
10 hunt; establishing a certain exception to the prohibition against Sunday deer
11 hunting; and generally relating to the regulation of hunting.

12 BY repealing and reenacting, with amendments,
13 Article – Natural Resources
14 Section 10–405(a) and 10–410(a)
15 Annotated Code of Maryland
16 (2007 Replacement Volume and 2010 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**

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 10-405.

2 (a) (1) Pursuant to § 10-205 of this title, the Department shall establish
3 by regulation and publish by July 1 each year the open season to hunt forest and
4 upland game birds and mammals.

5 (2) Except as provided under § 10-410 of this subtitle, the Department
6 may not authorize hunting on a Sunday.

7 (3) (I) 1. SUBJECT TO SUBSUBPARAGRAPH 2 OF THIS
8 SUBPARAGRAPH, THE DEPARTMENT SHALL ESTABLISH BY REGULATION BY
9 JULY 1 OF EACH YEAR A JUNIOR DEER HUNT TO OCCUR ON A SATURDAY AND
10 SUNDAY ON THE SAME WEEKEND DURING ~~THE BOW~~ A DEER HUNTING SEASON.

11 2. THE REGULATIONS ADOPTED UNDER THIS
12 SUBPARAGRAPH MAY NOT AUTHORIZE THE JUNIOR DEER HUNT TO OCCUR ON A
13 SUNDAY IN A COUNTY IN WHICH ~~BOW~~ DEER HUNTING IS NOT AUTHORIZED FOR
14 THAT SUNDAY.

15 (II) A PERSON MAY PARTICIPATE IN THE JUNIOR DEER
16 HUNT IF THE PERSON:

17 1. IS 16 YEARS OF AGE OR YOUNGER;

18 2. POSSESSES A VALID HUNTING LICENSE OR IS
19 EXEMPT FROM HUNTING LICENSE REQUIREMENTS; AND

20 3. IS ACCOMPANIED BY A PERSON WHO:

21 A. IS AT LEAST 21 YEARS OF AGE;

22 B. POSSESSES A VALID HUNTING LICENSE OR IS
23 EXEMPT FROM HUNTING LICENSE REQUIREMENTS; AND

24 C. IS NOT IN POSSESSION OF A FIREARM, A BOW, OR
25 ANY OTHER HUNTING DEVICE.

26 (III) A PERSON WHO PARTICIPATES IN THE JUNIOR DEER
27 HUNT MAY USE A FIREARM TO HUNT DEER ON THE DAYS OF THE HUNT.

28 10-410.

29 (a) (1) Except as provided in paragraphs (2), (3), [and] (4), AND (6) of this
30 subsection, a person may not hunt any game bird or mammal on Sundays.

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;

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;

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

26 (v) Except on Easter Sunday, in Allegany County and Garrett
27 County, a person hunting turkey on the last Sunday in April and the first Sunday in
28 May.

29 (3) Subject to the provisions of § 10–415 of this subtitle, in Calvert
30 County, Charles County, and St. Mary’s County, a person may hunt deer on private
31 property on:

1 (i) The first Sunday of the bow hunting season in November;
2 and

3 (ii) Each Sunday in the deer firearms season.

4 (4) Provided that the provisions of § 10–415 of this subtitle are met
5 and subject to paragraph (5) of this subsection, the Department may allow a person to
6 hunt deer on private property on the first Sunday of:

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

8 (ii) The deer firearms season.

9 (5) The Sunday deer hunting provisions under paragraph (4) of this
10 subsection do not apply:

11 (i) In Baltimore, Carroll, Howard, and Prince George’s counties;
12 and

13 (ii) In Baltimore City.

14 **(6) A PERSON WHO IS 16 YEARS OF AGE OR YOUNGER MAY HUNT**
15 **DEER WITH A FIREARM ON A SUNDAY THROUGH PARTICIPATION IN THE JUNIOR**
16 **DEER HUNT ESTABLISHED UNDER § 10–405(A) OF THIS SUBTITLE.**

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 June 1, 2011.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.