

Chapter 148

(Senate Bill 88)

AN ACT concerning

Natural Resources – Game Birds – Baiting

FOR the purpose of altering the prohibition against a person hunting certain game birds by the aid of baiting or on or over a baited area to require that the person know or reasonably should know that the area is a baited area before a violation occurs; and generally relating to hunting game birds by bait or on or over a baited area.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–412
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

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

Article – Natural Resources

10–412.

(a) (1) In this section the following words have the meanings indicated.

(2) “Baiting” means the placing, exposing, depositing, distributing, or scattering of shelled, shucked, or unshucked corn, wheat or other grain, salt, or other feed so as to constitute for birds a lure, attraction, or enticement to, on, or over any areas where persons are attempting to hunt them.

(3) “Baited area” means any area where shelled, shucked, or unshucked corn, wheat or other grain, salt, or other feed capable of luring, attracting, or enticing birds is directly or indirectly placed, exposed, deposited, distributed, or scattered, and this area remains a baited area for 10 days following complete removal of all corn, wheat or other grain, salt, or other feed.

(b) A person may not hunt wetland game birds or upland game birds, except quail and pheasant, by the aid of baiting, or on or over any baited area, **IF THE PERSON KNOWS OR REASONABLY SHOULD KNOW THAT THE AREA IS A BAITED AREA.**

(c) This section does not prohibit:

(1) The hunting of wetland and upland game birds on or over standing crops, flooded standing crops (including aquatics), flooded harvested croplands, grain crops properly shocked on the field where grown, or grains found scattered solely as the result of normal agricultural planting or harvesting; and

(2) The hunting of all upland game birds on or over any lands where shelled, shucked, or unshucked corn, wheat or other grain, salt, or other feed has been distributed or scattered as the result of bona fide agricultural operations or procedures, or as a result of manipulation of a crop or other feed on the land where grown for wildlife purposes. Manipulation for wildlife management purposes does not include the distributing or scattering of grain or other feed once it has been removed from or stored on the field where grown.

(d) By rule or regulation, the Department may exempt from this section captive raised mallard ducks which are released on a regulated shooting ground to be shot at immediately after release.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2015.

Approved by the Governor, May 12, 2015.