

HOUSE BILL 14

M2
HB 1547/14 – ENV

(PRE-FILED)

51r0600

By: **Delegate O'Donnell**

Requested: November 17, 2014

Introduced and read first time: January 14, 2015

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Hunting Licenses – Exemption for Retired Members of the Armed Forces**

3 FOR the purpose of creating an exemption from the requirement to obtain a hunting license
4 under certain circumstances for a person who is a former member of the armed forces
5 of the United States; providing that the exemption applies only to hunting on certain
6 farmland that is under certain ownership; requiring a person who hunts under the
7 exemption to possess certain identification, written permission, and, under certain
8 circumstances, hunting stamps; and generally relating to exemptions from the
9 requirement to obtain a hunting license.

10 BY repealing and reenacting, without amendments,
11 Article – Natural Resources
12 Section 10–301(b)
13 Annotated Code of Maryland
14 (2012 Replacement Volume and 2014 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Natural Resources
17 Section 10–301(c)
18 Annotated Code of Maryland
19 (2012 Replacement Volume and 2014 Supplement)

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

22 **Article – Natural Resources**

23 10–301.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) To provide a fund to pay the expense of protecting and managing wildlife, and
2 preventing unauthorized persons from hunting them, a person may not hunt or attempt to
3 hunt during open season and in any permitted manner any game birds and mammals in
4 the State without first having procured either a resident or nonresident hunter's license. A
5 person may not hunt or attempt to hunt nongame birds and mammals in Baltimore County
6 or Frederick County without first obtaining a license. A permanent resident of a
7 government reservation may obtain a resident hunter's license.

8 (c) (1) Except as provided in paragraph (2) of this subsection, the following
9 persons are not required to obtain a hunter's license, bow and arrow stamp, black powder
10 stamp, or bonus antlered deer stamp:

11 (i) With respect to hunting on farmland only:

12 1. The resident owner of the farmland and the owner's
13 spouse, child, and child's spouse;

14 2. A tenant and the tenant's spouse, child, and child's spouse.
15 A tenant is a person holding land under a lease, or a sharecropper who resides in a dwelling
16 on the land, but a tenant does not include any employee of the owner or tenant; and

17 3. A nonresident owner of a parcel of farmland and the
18 owner's spouse, child, and child's spouse if:

19 A. The parcel of farmland is located in Maryland and an
20 adjacent state;

21 B. The owner's primary residence is on the parcel of
22 farmland; and

23 C. The adjacent state extends similar privileges to a resident
24 of Maryland;

25 (ii) Any resident serving in the armed forces of the United States
26 while on leave in the State, during the resident's leave period, if, while hunting, the resident
27 possesses a copy of the resident's official leave order;

28 (iii) Any person serving in the armed forces of the United States who
29 has a service-connected disability, if, while hunting, the person possesses valid military
30 identification; and

31 (iv) Any unarmed person participating in an organized foxhunt.

32 (2) (i) Except as provided in subparagraph (ii) of this paragraph, in
33 order to qualify for the license and stamp exemption in accordance with paragraph (1) of
34 this subsection, a child or child's spouse must be eligible to purchase a junior resident or
35 junior nonresident hunting license.

1 (ii) If a child or child's spouse is ineligible to purchase a junior
2 resident or junior nonresident hunting license, the child or child's spouse shall qualify for
3 the license and stamp exemption if the child or child's spouse:

- 4 1. Lives on the farmland;
- 5 2. Worked on the farmland for 30 or more days during the
6 prior 12-month period; or
- 7 3. Manages the farmland.

8 **(3) (I) IN THIS PARAGRAPH, "ARMED FORCES" INCLUDES THE U.S.**
9 **COAST GUARD AND THE U.S. MERCHANT MARINE.**

10 **(II) SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, A**
11 **PERSON WHO IS A RETIRED FORMER MEMBER OF THE ARMED FORCES OF THE**
12 **UNITED STATES IS NOT REQUIRED TO OBTAIN A HUNTING LICENSE TO HUNT ON**
13 **FARMLAND THAT IS:**

- 14 1. **IN ACTIVE FARMING STATUS; AND**
- 15 2. **OWNED BY THE PERSON OR THE PERSON'S SPOUSE,**
16 **CHILD, CHILD'S SPOUSE, PARENT, GRANDPARENT, SIBLING, NIECE, OR NEPHEW.**

17 **(III) A PERSON WHO HUNTS ON FARMLAND WITHOUT A HUNTING**
18 **LICENSE UNDER THIS PARAGRAPH SHALL POSSESS:**

- 19 1. **THE RETIRED-MILITARY IDENTIFICATION CARD OF**
20 **THE PERSON;**
- 21 2. **WRITTEN PERMISSION FROM THE OWNER OF THE**
22 **FARM PROPERTY TO HUNT ON THE PROPERTY DURING A SPECIFIED PERIOD OF**
23 **TIME; AND**
- 24 3. **ANY REQUIRED HUNTING STAMPS.**

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
26 1, 2015.