

SENATE BILL 844

M2

5lr2090
CF HB 1181

By: **Senators Young and Hough**

Introduced and read first time: February 23, 2015

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, March 6, 2015

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 20, 2015

CHAPTER _____

1 AN ACT concerning

2 **Frederick County – Deer Management Permit – Use of Rifles**

3 FOR the purpose of authorizing an individual in Frederick County who holds a Deer
4 Management Permit to use a certain rifle to harvest deer throughout the year,
5 including all deer hunting seasons; authorizing an agent of a permittee in a certain
6 zone in Frederick County to use a rifle to harvest deer throughout the year ~~with a~~
7 ~~certain exception and~~; authorizing an agent of a permittee in a certain zone in
8 Frederick County to use a rifle to harvest deer during a certain period with a certain
9 exception and allowing the agent to harvest deer in a deer firearms season only by
10 using the weapon approved for that season; defining a certain term; requiring the
11 Department of Natural Resources to adopt certain regulations; making a technical
12 correction; providing for the effective date of certain provisions of this Act; providing
13 for the termination of certain provisions of this Act; and generally relating to Deer
14 Management Permits.

15 BY repealing and reenacting, with amendments,
16 Article – Natural Resources
17 Section 10–415(d)
18 Annotated Code of Maryland
19 (2012 Replacement Volume and 2014 Supplement)

20 BY adding to
21 Article – Natural Resources
22 Section 10–415(d)

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 Annotated Code of Maryland
2 (2012 Replacement Volume and 2014 Supplement)
3 (As enacted by Chapter 574 of the Acts of the General Assembly of 2014)

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

6 **Article – Natural Resources**

7 10–415.

8 (d) (1) In this subsection, “Deer Management Permit” means a permit issued
9 by the Department authorizing the holder to hunt deer outside of deer hunting season for
10 the purpose of preventing damage to crops.

11 (2) (I) In Charles County and St. Mary’s County, an individual who
12 holds a Deer Management Permit may:

13 [(i)] 1. Use a shotgun approved by the Department to hunt deer
14 throughout deer season in the locations and under the conditions set forth in the permit;
15 and

16 [(ii)] 2. Hunt deer on State agricultural crop land located in
17 Charles County and St. Mary’s County to the same extent as the person is authorized under
18 the Deer Management Permit to hunt on private land in Charles County and St. Mary’s
19 County.

20 [(3)] (II) The Department may not require an individual who holds a Deer
21 Management Permit in Charles County or St. Mary’s County to apply for renewal more
22 than once every 3 years.

23 [(4)] (III) The Department may not authorize an individual in Charles
24 County or St. Mary’s County to hunt deer on Sundays under a Deer Management Permit.

25 [(5)] (3) To protect public safety and welfare, the Department may:

26 (i) Terminate the deer hunting season established under subsection
27 (a)(2) of this section; and

28 (ii) Restrict the lands on which an individual may hunt deer.

29 (4) (I) **THIS PARAGRAPH APPLIES ONLY IN FREDERICK COUNTY.**

30 (II) **SUBJECT TO THE CONDITIONS SET FORTH IN A DEER**
31 **MANAGEMENT PERMIT, A PERMITTEE MAY USE A RIFLE APPROVED BY THE**

1 DEPARTMENT TO HARVEST DEER THROUGHOUT THE YEAR, INCLUDING ALL DEER
2 HUNTING SEASONS.

3 ~~(III) AN AGENT OF A PERMITTEE MAY:~~

4 ~~1. EXCEPT AS PROVIDED IN ITEM 2 OF THIS~~
5 ~~SUBPARAGRAPH, USE A RIFLE TO HARVEST DEER THROUGHOUT THE YEAR; AND~~

6 ~~2. HARVEST DEER IN A DEER FIREARMS SEASON ONLY~~
7 ~~BY USING THE WEAPON APPROVED FOR THAT SEASON.~~

8 (III) IN FREDERICK COUNTY ZONE 1, AS DEFINED IN COMAR
9 08.03.03.06A.(3)(G), AN AGENT OF A PERMITTEE MAY USE A RIFLE TO HARVEST
10 DEER THROUGHOUT THE YEAR.

11 (IV) 1. THIS SUBPARAGRAPH APPLIES ONLY IN FREDERICK
12 COUNTY ZONE 2, AS DEFINED IN COMAR 08.03.03.06A.(3)(H).

13 2. EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 3 OF
14 THIS SUBPARAGRAPH, AN AGENT OF A PERMITTEE MAY USE A RIFLE TO HARVEST
15 DEER IN A PERIOD BEGINNING OCTOBER 1 AND ENDING MARCH 31.

16 3. IN A DEER FIREARMS SEASON, AN AGENT OF A
17 PERMITTEE MAY HARVEST DEER ONLY BY USING THE WEAPON APPROVED FOR THAT
18 SEASON.

19 ~~(IV)~~ (V) THE DEPARTMENT SHALL ADOPT REGULATIONS TO
20 IMPLEMENT THIS SUBSECTION.

21 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
22 as follows:

23 **Article – Natural Resources**

24 10–415.

25 (D) (1) IN THIS SUBSECTION, “DEER MANAGEMENT PERMIT” MEANS A
26 PERMIT ISSUED BY THE DEPARTMENT AUTHORIZING THE HOLDER TO HARVEST
27 DEER OUTSIDE OF DEER HUNTING SEASON FOR THE PURPOSE OF PREVENTING
28 DAMAGE TO CROPS.

29 (2) (I) THIS PARAGRAPH APPLIES ONLY IN FREDERICK COUNTY.

30 (II) SUBJECT TO THE CONDITIONS SET FORTH IN A DEER
31 MANAGEMENT PERMIT, A PERMITTEE MAY USE A RIFLE APPROVED BY THE

1 DEPARTMENT TO HARVEST DEER THROUGHOUT THE YEAR, INCLUDING ALL DEER
2 HUNTING SEASONS.

3 ~~(III) AN AGENT OF A PERMITTEE MAY:~~

4 ~~1. EXCEPT AS PROVIDED IN ITEM 2 OF THIS~~
5 ~~SUBPARAGRAPH, USE A RIFLE TO HARVEST DEER THROUGHOUT THE YEAR; AND~~

6 ~~2. HARVEST DEER IN A DEER FIREARMS SEASON ONLY~~
7 ~~BY USING THE WEAPON APPROVED FOR THAT SEASON.~~

8 (III) IN FREDERICK COUNTY ZONE 1, AS DEFINED IN COMAR
9 08.03.03.06A.(3)(G), AN AGENT OF A PERMITTEE MAY USE A RIFLE TO HARVEST
10 DEER THROUGHOUT THE YEAR.

11 (IV) 1. THIS SUBPARAGRAPH APPLIES ONLY IN FREDERICK
12 COUNTY ZONE 2, AS DEFINED IN COMAR 08.03.03.06A.(3)(H).

13 2. EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 3 OF
14 THIS SUBPARAGRAPH, AN AGENT OF A PERMITTEE MAY USE A RIFLE TO HARVEST
15 DEER IN A PERIOD BEGINNING OCTOBER 1 AND ENDING MARCH 31.

16 3. IN A DEER FIREARMS SEASON, AN AGENT OF A
17 PERMITTEE MAY HARVEST DEER ONLY BY USING THE WEAPON APPROVED FOR THAT
18 SEASON.

19 ~~(IV)~~ (V) THE DEPARTMENT SHALL ADOPT REGULATIONS TO
20 IMPLEMENT THIS SUBSECTION.

21 SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take
22 effect on the taking effect of the termination provision specified in Section 2 of Chapter 574
23 of the Acts of the General Assembly of 2014. If that termination provision takes effect,
24 Section 1 of this Act shall be abrogated and of no further force and effect. This Act may not
25 be interpreted to have any effect on that termination provision.

26 SECTION 4. AND BE IT FURTHER ENACTED, That, subject to the provisions of
27 Section 3 of this Act, this Act shall take effect July 1, 2015.