

HOUSE BILL 1174

M2

8lr3098

By: **Delegates Jacobs, Arentz, Ghrist, Long, and Otto**

Introduced and read first time: February 8, 2018

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources – Oysters – Tolerance for Seafood Dealers**

3 FOR the purpose of authorizing a seafood dealer that uses a conveyor to load oysters from
4 a boat into a truck to possess up to a certain percent tolerance for undersized oysters
5 and shells.

6 BY repealing and reenacting, with amendments,
7 Article – Natural Resources
8 Section 4–1017
9 Annotated Code of Maryland
10 (2012 Replacement Volume and 2017 Supplement)

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

13 **Article – Natural Resources**

14 4–1017.

15 (a) Unless a license first is obtained from the Department, a person may not (1)
16 have a fixed place of business buying oysters and employing labor to prepare them for
17 market, or (2) buy more than 25 bushels of oysters per year from persons who catch them
18 from the natural oyster bars of the State.

19 (b) The Department may not issue a license required by this section unless the
20 applicant pays all taxes due for the prior year under § 4–1020 of this subtitle.

21 (c) A person may possess oysters caught from the natural oyster bars of the State
22 until one week past the close of the season for taking oysters as established in § 4–1008.1
23 of this subtitle. Oysters may be caught by dredge or handscrape at any time in Worcester
24 County and may be shipped in the shell at any time within or from that county. In counties

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 where oysters may be caught from leased areas at any time pursuant to the provisions of
2 Subtitle 11A of this title, a person may possess oysters at any time.

3 **(D) A SEAFOOD DEALER THAT USES A CONVEYOR TO LOAD OYSTERS FROM**
4 **A BOAT INTO A TRUCK MAY POSSESS UP TO 10% OYSTERS AND SHELLS THAT ARE**
5 **LESS THAN THE ALLOWABLE SIZE ESTABLISHED BY REGULATIONS OF THE**
6 **DEPARTMENT.**

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2018.