

# HOUSE BILL 1358

M2

9lr2985

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By: **Delegate Mautz**

Introduced and read first time: February 18, 2019

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources – Oyster Severance Tax – Increase**

3 FOR the purpose of increasing the amount of the severance tax levied on oysters caught  
4 within certain natural oyster bars; requiring that a certain amount of the severance  
5 tax levied be distributed to certain county oyster committees for the repletion of  
6 natural oyster bars within the waters of the counties; making stylistic and clarifying  
7 changes; and generally relating to the oyster severance tax.

8 BY repealing and reenacting, with amendments,

9 Article – Natural Resources

10 Section 4–1020(b) and (c)

11 Annotated Code of Maryland

12 (2018 Replacement Volume)

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

15 **Article – Natural Resources**

16 4–1020.

17 (b) (1) (I) A severance tax of [~~\$1~~] **\$2** per bushel shall be levied [upon] ON  
18 every bushel of oysters caught within the limits of the natural oyster bars of the State  
19 exclusive of the Potomac River.

20 (II) The oyster buyer or receiver shall pay the tax to the Department  
21 for deposit to the credit of the Fisheries Research and Development Fund.

22 (2) (I) This section does not prevent any person licensed to catch oysters  
23 in the State from selling [~~his~~] **THE PERSON’S** oysters in the shell directly to a consumer in

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 the State.

2                   **(II) 1.** If the consumer is a licensed buyer of oysters, [he] **THE**  
3 **CONSUMER** shall assume the obligations placed by this subsection on the first buyer of the  
4 oysters to remit the tax to the Department. [However, if]

5                   **2.** **IF** the consumer is not a licensed buyer of oysters, the  
6 seller of oysters shall assume this obligation.

7           (c) **(1)** All taxes collected under this section shall be credited to the Fisheries  
8 Research and Development Fund and used only for the repletion of the natural oyster bars  
9 of the State.

10                   **(2)** The **10-CENT** tax increase effective July 1, 1982, shall be used solely  
11 for the oyster seed program, with a minimum of [5 percent] **5%** of the increase being used  
12 in each of the following counties:

13                   **(I)** Anne Arundel;

14                   **(II)** Calvert;

15                   **(III)** Charles;

16                   **(IV)** Dorchester;

17                   **(V)** Kent;

18                   **(VI)** Queen Anne's;

19                   **(VII)** Somerset;

20                   **(VIII)** St. Mary's;

21                   **(IX)** Talbot; and

22                   **(X)** Wicomico.

23                   **(3) OF THE SEVERANCE TAX COLLECTED UNDER SUBSECTION (B) OF**  
24 **THIS SECTION, \$1 OF EACH \$2 COLLECTED SHALL BE DISTRIBUTED TO THE COUNTY**  
25 **OYSTER COMMITTEES FOR THE FOLLOWING COUNTIES FOR THE REPLETION OF**  
26 **NATURAL OYSTER BARS LOCATED IN THE WATERS OF THE COUNTY:**

27                   **(I) ANNE ARUNDEL;**

28                   **(II) CALVERT;**

- 1                   **(III) CHARLES;**
- 2                   **(IV) DORCHESTER;**
- 3                   **(V) KENT;**
- 4                   **(VI) QUEEN ANNE'S;**
- 5                   **(VII) SOMERSET;**
- 6                   **(VIII) ST. MARY'S;**
- 7                   **(IX) TALBOT; AND**
- 8                   **(X) WICOMICO.**

9                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10                   October 1, 2019.