

Department of Legislative Services
Maryland General Assembly
2019 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 242

(Cecil County Delegation)

Environment and Transportation

Education, Health, and Environmental Affairs

Cecil County - Natural Resources - Hunting

This bill authorizes the Department of Natural Resources (DNR) to allow a person in Cecil County to hunt any game bird or game mammal, except migratory game birds, on a Sunday during the open season for that game bird or mammal on (1) private property and (2) public land designated for Sunday hunting by DNR. The bill also decreases the archery hunting “safety zone” in Cecil County from 150 yards to 50 yards from a dwelling house, residence, church, or any other building or camp occupied by human beings. **The bill takes effect July 1, 2019.**

Fiscal Summary

State Effect: The bill is not expected to materially affect State operations or finances.

Local Effect: The bill is not expected to materially affect local operations or finances.

Small Business Effect: Minimal overall, but potential meaningful impact for certain businesses in Cecil County, as discussed below.

Analysis

Current Law:

Sunday Hunting

Hunting game birds or mammals on Sundays is generally prohibited, with specified exceptions.

Game Birds and Mammals on Private Property and Public Land: DNR may allow hunting on Sundays in Allegany, Garrett, and Washington counties for any game bird or mammal, except migratory and wetland game birds, during the open season for these animals on specified private property and public land designated for Sunday hunting by DNR. Additionally, DNR is authorized to allow Sunday deer hunting in Frederick County from the first Sunday in October through the second Sunday in January of the following year on specified private property and public land designated for Sunday hunting by DNR.

In addition, the following persons may hunt game birds and mammals on Sundays: (1) a person using State-certified raptors during open season; (2) an unarmed person participating in an organized fox hunt; and (3) a person using a regulated shooting ground to hunt pen-reared game birds.

Deer on Private Property: In Calvert, Caroline, Carroll, Charles, Dorchester, Harford, Queen Anne's, St. Mary's, Somerset, Talbot, Wicomico, and Worcester counties, a person may hunt deer on private property with a bow and arrow or crossbow during open season on the last three Sundays in October and the second Sunday in November.

In Calvert, Caroline, Charles, Harford, Queen Anne's, St. Mary's, Somerset, and Worcester counties, a person may hunt deer on private property on the first Sunday of the bow hunting season in November and each Sunday in the deer firearms season. DNR may allow deer hunting on private property statewide (with the exception of Baltimore City and Baltimore, Howard, and Prince George's counties) on the first Sunday of the bow hunting season in November and the first Sunday of the deer firearms season.

In Carroll County, DNR may authorize deer hunting on Sundays on private property from the first Sunday in October through the second Sunday in January of the following year. In Frederick County, DNR may authorize deer hunting on Sundays on private property and designated public property from the first Sunday in October through the second Sunday in January of the following year.

In Montgomery County, DNR may allow a person to hunt deer on a Sunday throughout the deer hunting season on private property. DNR may only allow such hunting from 30 minutes before sunrise until 10:30 a.m., subject to specified exceptions. The time restrictions do not apply (1) to a participant in the junior deer hunt; (2) on private land only on one Sunday designated by DNR during deer bow hunting season; and (3) on private land only on one Sunday designated by DNR during the firearms season.

In Kent County, DNR may allow a person to hunt deer on a Sunday on private property throughout all deer hunting seasons. However, DNR may only allow a person to hunt deer during firearms season from 30 minutes before sunrise until 10:30 a.m., subject to specified

exceptions. The time restrictions do not apply (1) to a participant in the junior deer hunt and (2) on private land only on one Sunday designated by DNR during the firearms season.

Hunting Safety Zones

Generally, a person, other than the owner or occupant, may not shoot or discharge any firearm or other deadly weapon within a specified area within 150 yards, known as the “safety zone,” of a dwelling house, residence, church, or other building or camp occupied by human beings without the specific advance permission of the owner or occupant. Also, a person, other than the owner or occupant, may not shoot at any animal while it is within the safety zone without the specific advance permission of the owner or occupant.

For archery hunters in Calvert, Carroll, Frederick, Harford, Montgomery, and St. Mary’s counties, the safety zone extends for 50 yards from a dwelling house, residence, church, or other building or camp occupied by human beings. For archery hunters in Anne Arundel County, the safety zone extends for 100 yards from a dwelling house, residence, church, or other building or camp occupied by human beings. An archery hunter in Harford County must use a tree stand when hunting within 50 to 100 yards of a dwelling house, residence, church, or any other building or camp occupied by human beings. An archery hunter in Montgomery County must be in an elevated position that allows the hunter to shoot in a downward trajectory when hunting within 50 to 100 yards of a dwelling house, residence, church, school, or other building or camp occupied by human beings.

A person, while hunting for any wild bird or mammal, may not shoot or discharge any firearm within 300 yards of a school during school hours or when a school-approved activity is taking place.

During any open hunting season, a person, other than the owner or occupant, may not hunt or chase willfully any animal within the safety zone without the specific advance permission of the owner or occupant.

Background: Because white-tailed deer thrive in habitat that is composed of woods and openings and because hunter access in those areas is limited, suburban development has provided excellent deer habitat in the State. This has resulted in growing deer populations in suburban areas. Higher populations of deer can lead to a greater number of negative interactions with suburban residents, such as deer-vehicle collisions and vegetation damage. Deer also cause agricultural damage.

According to DNR, regulated hunting is the most cost-effective deer population control mechanism available throughout most of the State, and Sunday hunting has contributed positively to managing the State’s white-tailed deer population in the 20 counties where it is now permitted.

Hunters have harvested more than 70,000 deer on Sundays since becoming a legal hunting day in 2003. Deer hunters harvested 7,204 deer on Sundays during the 2017-2018 hunting season. Archery hunters harvested 1,314 deer on Sundays during the 2017-2018 hunting season, while firearm hunters harvested 5,756 deer, and muzzleloader hunters harvested 134 deer. Included in the firearm totals, are the 878 deer harvested by junior hunters on the Sunday of the Junior Hunt Weekend. The Sunday firearms harvest typically represents about 10% to 15% of the total two-week firearms harvest each year in those counties that permit Sunday hunting.

During the three Sunday hunting days in Cecil County during the 2017-2018 hunting season, 234 deer were harvested by hunters.

Small Business Effect: Authorizing additional deer hunting in Cecil County may have a meaningful economic impact on certain types of businesses in that county. The U.S. Fish and Wildlife Service reports that, in 2011, the average hunter in Maryland spent \$49 per hunting day on trip-related expenditures. In 2011, the National Survey of Fishing, Hunting, and Wildlife Associated Recreation estimated that hunters in Maryland spend more than \$260 million annually on food, lodging, equipment, and transportation.

In addition to businesses directly affected by hunting, the bill may also affect several other types of businesses. Most farms, for example, are small businesses. In 2011, the U.S. Department of Agriculture's National Agricultural Statistics Service estimated that Maryland deer caused \$7.7 million in agricultural damage statewide. Based on past estimates of crop damage losses, DNR estimates that an individual deer causes \$33.05 in agricultural damage annually. To the extent that the bill reduces crop damage, farmers benefit.

The bill may also affect vehicle owners and businesses involved in the repair of vehicles. DNR estimates that there was an average of more than 31,000 deer-vehicle collisions in each of the last five years and that the average cost per collision is \$4,179. The car insurance industry projected total annual damage in Maryland due to deer-vehicle collisions is \$133 million. Reducing the deer population in Cecil County likely reduces the number of deer-vehicle collisions, which has a positive impact on vehicle owners and a corresponding negative impact on vehicle repair businesses.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Natural Resources; Department of Legislative Services

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