

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
Enrolled - Revised

House Bill 545

(Delegate Hornberger)

Environment and Transportation

Education, Health, and Environmental Affairs

Natural Resources - Licenses and Stamps - Revisions

This bill requires the Department of Natural Resources (DNR) to make available and, on request, issue any license or stamp authorized under specified provisions (that require or authorize angler's licenses, trout stamps, Chesapeake Bay and coastal sport fishing licenses, special charter boat licenses, special commercial fishing pier licenses, and hunting licenses and stamps) in a digital or electronic format. With the exception of an annual special Chesapeake Bay and coastal sport fishing license, which must be permanently affixed to a boat, an individual may satisfy any requirement under the Natural Resources Article of the Maryland Code to possess or display those licenses or stamps by possessing or displaying the document in a digital or electronic format as provided by DNR. The bill also prohibits an applicant for an angler's license, a Chesapeake Bay and coastal sport fishing license, a special charter boat license, or a special commercial fishing pier license from willfully making a false statement or representation to DNR on the license application. The bill repeals requirements that an angler's licensee or a hunting licensee electronically or physically sign the license.

Fiscal Summary

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

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

Small Business Effect: Minimal.

Analysis

Current Law: DNR is authorized to develop and implement an electronic system for the sale and issuance of licenses, permits, and registrations and the recording and releasing of security interests. The system must be developed consistent with the statewide information technology master plan developed by the Secretary of Information Technology.

Under the Natural Resources Article, subject to certain exceptions:

- any person age 16 or older must secure an angler's license to fish in the nontidal waters of the State;
- a person may not fish or possess trout in an area established by DNR as an area where a trout stamp is required, unless the person first obtains a trout stamp in addition to an angler's license;
- a person may not fish for finfish in the Chesapeake Bay or in its tributaries up to tidal boundaries or in State waters of the Atlantic Ocean and the Atlantic coastal bays and their tributaries without first obtaining a Chesapeake Bay and coastal sport fishing license or a specified registration; and
- a person may not hunt or attempt to hunt during open season and in any permitted manner any game birds and mammals in the State without first having procured a hunting license (and statute establishes specified types of hunting licenses and stamps).

Statute also authorizes DNR to provide by regulation for the issuance of (1) a special charter boat license valid for all individuals on a vessel operated by, or under the guidance of, specified licensed fishing guides, in tidal waters of the State; (2) an annual special Chesapeake Bay and coastal sport fishing license, which when permanently affixed to a boat (other than a boat hired to take persons fishing) authorizes any person on the boat to fish under the license, provided the person registers with DNR; and (3) a special commercial fishing pier license that is valid for all individuals fishing from the pier in tidal waters of the State.

Applicants for the licenses affected by the bill must provide all information requested by DNR and, in the case of angler's and hunting licenses, the last four digits of the applicant's Social Security number, if the applicant has a Social Security number.

An angler's licensee must electronically or physically sign the license at the time of purchase, and a hunting licensee must electronically or physically sign the hunting license at the time the licensee obtains the hunting license.

A person may not obtain a hunting license under an assumed name, an address other than the person's legal place of residence, or by making any false statement.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

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

Fiscal Note History: First Reader - February 8, 2021
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