By: Delegates Hornberger, Buckel, Reilly, and Shoemaker
Introduced and read first time: February 11, 2022
Assigned to: Environment and Transportation

A BILL ENTITLED

AN ACT concerning

Sunday Hunting and Archery Hunting Safety Zones – Statewide Authorization and Establishment

FOR the purpose of authorizing the Department of Natural Resources to allow a person to hunt on Sundays on private property statewide and any public land in the State designated for hunting by the Department; establishing a uniform statewide safety zone for archery hunters; and generally relating to Sunday hunting and archery hunting safety zones in the State.

BY repealing
Chapter 95 of the Acts of the General Assembly of 2020
Section 2 and 3

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(a) and (g) and 10–906(b)(3)(i)
Annotated Code of Maryland
(2012 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,
Chapter 95 of the Acts of the General Assembly of 2020
Section 4

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 2 and 3 of Chapter 95 of the Acts of the General Assembly of 2020 be repealed.

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

Article – Natural Resources

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
(a) (1) The Department may allow a person to hunt on each Sunday of the game bird and game mammal seasons [in:

(i) Allegany County;
(ii) Cecil County;
(iii) Garrett County;
(iv) St. Mary’s County; and
(v) Washington County].

(2) The Department may allow a person to hunt deer on each Sunday of the deer hunting seasons from the first Sunday in October through the second Sunday in January, inclusive, in:

(i) Carroll County;
(ii) Dorchester County; and
(iii) Frederick County.

(3) (i) Subject to subparagraph (ii) of this paragraph, the Department may allow a person to hunt deer on each Sunday of the deer hunting seasons from 30 minutes before sunrise until 10:30 a.m. in:

1. Kent County; and

(ii) The time restrictions under this paragraph do not apply:

1. To a participant in a junior deer hunt authorized under this subtitle;
2. On one Sunday designated by the Department during the deer firearms season;
3. In Kent County, on each Sunday during the deer bow hunting season and the deer muzzle loader season; and
4. In Montgomery County, on one Sunday designated by the Department during the deer bow hunting season.
The Department may allow a person to hunt deer during the deer firearms season:

(i) On each Sunday in:

1. Calvert County;
2. Caroline County;
3. Charles County;
4. Harford County;
5. Queen Anne’s County;
6. Somerset County; and
7. Worcester County;

(ii) On the first Sunday in:

1. Anne Arundel County; and
2. Talbot County; and

(iii) In Wicomico County, on:

1. The first Sunday; and
2. The second Sunday from 30 minutes before sunrise until 10:30 a.m.

The Department may allow a person to hunt deer during the deer bow hunting season on:

(i) The last three Sundays in October and the first two Sundays in November in:

1. Calvert County;
2. Caroline County;
3. Charles County;
4. Harford County;
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5. Queen Anne’s County;
6. Somerset County;
7. Talbot County;
8. Wicomico County; and
9. Worcester County; and

(ii) The first Sunday in November in Anne Arundel County.

The Department may allow a person to hunt turkey on each Sunday of the spring turkey hunting season in:

(i) Calvert County;
(ii) Caroline County;
(iii) Carroll County;
(iv) Charles County;
(v) Dorchester County; and
(vi) Kent County.

Notwithstanding any other provision of this subtitle, the Department may allow a person with a deer management permit to shoot deer on any Sunday throughout the year in accordance with the terms of the permit.

The Department may allow a person using a State certified raptor to hunt game birds or mammals on each Sunday during the open season for the game birds or mammals.

The Department may allow an unarmed person participating in an organized fox chase to chase foxes on Sunday.

The Department may allow a person shooting pen–reared game birds or tower–released flighted mallard ducks to hunt on Sunday at a regulated shooting ground in accordance with § 10–906 of this title.

The Department may allow a person who is 16 years old or younger to hunt on Sunday if participating in a junior hunt established by the Department in accordance with this subtitle.
Except as provided in paragraphs (8) through (10) of this subsection and subject to paragraph (7) of this subsection, a person may not hunt on Sunday in:

(i) Baltimore City;
(ii) Baltimore County;
(iii) Howard County; or
(iv) Prince George’s County.

A person may not hunt migratory game birds on Sunday.

A person may not hunt on public land within the State park system on Sunday.

The Department may not allow a person to hunt on public land designated for hunting by the Department on Sunday except in:

(i) Allegany County;
(ii) Cecil County;
(iii) Garrett County;
(iv) St. Mary’s County;
(v) Washington County;
(vi) Dorchester County, for turkey during the spring turkey hunting season; and
(vii) Frederick County, for deer from the first Sunday in October through the second Sunday in January of the following year, inclusive.

Except as provided in paragraphs (2) and (3) of this subsection, a person, other than the owner or occupant, while hunting for any wild bird or mammal may not shoot or discharge any firearm or other deadly weapon within 150 yards, known as the “safety zone”, of a dwelling house, residence, church, or other building or camp occupied by human beings, or shoot at any wild bird or mammal while it is within this area, without the specific advance permission of the owner or occupant.

A person, while hunting for any wild bird or mammal, may not shoot or discharge any firearm within 300 yards of a public or nonpublic school during school hours or at a time when a school–approved activity is taking place.
(3) [(i)] For archery hunters [in Allegany County, Calvert County, Carroll County, Cecil County, Frederick County, Harford County, Montgomery County, St. Mary’s County, or Washington County], the safety zone described in paragraph (1) of this subsection extends for 50 yards from a dwelling house, residence, church, or any other building or camp occupied by human beings.

[(ii) For archery hunters in Anne Arundel County, the safety zone described in paragraph (1) of this subsection extends for 100 yards from a dwelling house, residence, church, or any other building or camp occupied by human beings.]

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

(5) In Harford County, an archery hunter shall use a tree stand when hunting any wild bird or mammal within 50 to 100 yards of a dwelling house, residence, church, public or nonpublic school, or other building or camp occupied by human beings.

(6) In Montgomery County or Washington County, an archery hunter shall be in an elevated position that allows the hunter to shoot in a downward trajectory when hunting any wild bird or mammal within 50 to 100 yards of a dwelling house, residence, church, public or nonpublic school, or other building or camp occupied by human beings.

10–906.

(b) (3) (i) As part of the application for a regulated shooting ground permit, a person may apply to the Department for authorization to allow hunting on Sunday as provided under [§ 10–410(a)(2)(iii)] § 10–410(A)(5) of this title.

Chapter 95 of the Acts of 2020

SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in Section 3 of this Act, this Act shall take effect June 1, 2020.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2022.