

Department of Legislative Services
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2022 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 233
(Senator Jackson)
Education, Health, and Environmental Affairs

**Prince George's County – Natural Resources – Sunday Deer Hunting and
Archery Hunting Safety Zones**

This bill authorizes the Department of Natural Resources (DNR) to allow, in Prince George's County, 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. The bill also decreases the archery hunting safety zone in Prince George's 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, 2022.**

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 Prince George's County, as discussed below.

Analysis

Current Law: For an overview of Sunday hunting laws in the State, as well as background information on Sunday deer hunting in Maryland, please see the **Appendix – Sunday Hunting in Maryland**.

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 Allegany, Calvert, Carroll, Cecil, Frederick, Garrett, Harford, Montgomery, St. Mary's, and Washington 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 and Washington counties 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.

Small Business Effect: Authorizing additional deer hunting in Prince George's County may have a meaningful economic impact on certain types of businesses. 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, to the extent the bill results in a decrease in the deer population in Prince George's County, the bill may also affect several other types of businesses, such as farms (due to a reduction in crop damage) and businesses that own or repair vehicles (due to a reduction in deer-vehicle collisions).

DNR estimates that 50 to 100 deer could be harvested each year in Prince George's County as a result of the bill.

Additional Information

Prior Introductions: HB 615 of 2021 passed the House with amendments and received a hearing in the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken.

Designated Cross File: HB 874 (Prince George's County Delegation) - Environment and Transportation.

Information Source(s): Prince George's County; Department of Natural Resources; U.S. Fish and Wildlife Service; Department of Legislative Services

Fiscal Note History: First Reader - March 11, 2022

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Appendix – Sunday Hunting in Maryland

Sunday Hunting, Generally

Hunting game birds or mammals on Sundays is generally prohibited, with specified exceptions. Chapter 95 of 2020 reorganized and clarified statutory provisions related to Sunday hunting in the State. Chapter 95 also (1) explicitly stated that a person may not hunt on public lands within the State park system on a Sunday and (2) authorized the Department of Natural Resources (DNR) to set all of the seasons for Sunday hunting.

Game Birds and Mammals on Private Property and Public Land

DNR may allow Sunday hunting for any game bird or mammal, except migratory game birds, in Allegany, Cecil, Garrett, St. Mary's, and Washington counties during the open season for these animals on private property and public land designated for Sunday hunting by DNR.

DNR may allow Sunday deer hunting in Frederick County from the first Sunday in October through the second Sunday in January of the following year on private property and public land designated for Sunday hunting by DNR.

DNR may allow Sunday turkey hunting in Dorchester County during the spring turkey hunting season on private property and public land designated for hunting by DNR.

Deer on Private Property

All Seasons: DNR may allow Sunday deer hunting on private property (1) in Carroll and Dorchester counties in all deer hunting seasons from the first Sunday in October through the second Sunday in January of the following year; (2) in Kent County on each Sunday in all deer hunting seasons from 30 minutes before sunrise until 10:30 a.m. (however, the time restriction does not apply to a participant in the junior deer hunt, on one Sunday in the deer firearms season as designated by DNR, and on each Sunday during the deer bow hunting season and the deer muzzle loader season); and (3) in Montgomery County on each Sunday in all deer hunting seasons from 30 minutes before sunrise until 10:30 a.m. (however, the time restriction does not apply to a participant in the junior deer hunt, and on one Sunday each in the deer firearms season and the deer bow hunting season as designated by DNR).

Firearms Season: DNR may allow Sunday deer hunting on private property (1) in Calvert, Caroline, Charles, Harford, Queen Anne's, Somerset, and Worcester counties on each Sunday of the deer firearms season; (2) in Anne Arundel and Talbot counties on the

first Sunday of the deer firearms season; and (3) in Wicomico County on the first Sunday of deer firearms season, and from 30 minutes before sunrise until 10:30 a.m. on the second Sunday of the deer firearms season.

Bow Season: DNR may allow Sunday deer hunting on private property (1) in Calvert, Caroline, Charles, Harford, Queen Anne's, Somerset, Talbot, Wicomico, and Worcester counties on the last three Sundays in October and the first two Sundays in November of the deer bow season and (2) in Anne Arundel County on the first Sunday in November of the deer bow season.

Turkey on Private Property

DNR may allow Sunday turkey hunting on private property in Calvert, Caroline, Carroll, Charles, and Kent counties on Sundays during the spring turkey hunting season.

Miscellaneous

Junior Hunt: DNR may allow a person who is age 16 or younger and is participating in a junior hunt to hunt on a Sunday.

Traditional Sunday Hunting: DNR may allow the following persons to hunt game birds and mammals on a Sunday: (1) a person using State-certified raptors to hunt game birds or mammals during open season for these animals; (2) an unarmed person participating in an organized fox chase; and (3) a person using a regulated shooting ground to hunt pen-reared game birds or tower-released flighted mallard ducks.

Deer Management Permit Holders: DNR 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.

Express Prohibitions

In general, a person may not hunt on a Sunday in Baltimore City or Baltimore, Howard, or Prince George's counties. This prohibition in these counties does not apply to the above-described acts of traditional Sunday hunting. In addition, a person with a deer management permit may shoot deer under the permit on a Sunday in these counties. Further, a person may not hunt migratory game birds on a Sunday, and a person may not hunt on public land within the State park system on a Sunday.

Background on Deer Hunting in Maryland

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 90,000 deer on Sundays since becoming a legal hunting day in 2003. Deer hunters harvested 8,117 deer on Sundays during the 2020-2021 hunting season.