

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 466

(Delegate Otto)

Environment and Transportation

Education, Energy, and the Environment

Worcester County - Natural Resources - Hunting

This bill authorizes the Department of Natural Resources (DNR) to allow a person in Worcester County to hunt on each Sunday of the game bird and mammal season on private property and public land designated for Sunday hunting by DNR. Except as specified, DNR may only allow such hunting from 30 minutes before sunrise until 10:30 a.m. The time restrictions do not apply on (1) each Sunday of the deer firearms season and (2) the last three Sundays in October and the first two Sundays in November of the deer bow hunting season. The bill also decreases the archery hunting “safety zone” in Worcester 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, 2023.**

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 for certain businesses in Worcester County, as discussed below.

Analysis

Current Law:

Sunday Hunting

Hunting game birds or mammals on Sundays is generally prohibited in the State, with specified exceptions. For an overview of Sunday hunting laws in the State, please see the **Appendix – Sunday Hunting in Maryland**.

Archery 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 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 wild bird or mammal within the safety zone without the specific advance permission of the owner or occupant.

Small Business Effect: Authorizing additional hunting in Worcester 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 Worcester 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).

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 824 (Senator Carozza) - Education, Energy, and the Environment.

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

Fiscal Note History: First Reader - February 26, 2023
rh/lgc Third Reader - March 23, 2023
Revised - Amendment(s) - March 23, 2023

Analysis by: Kathleen P. Kennedy

Direct Inquiries to:
(410) 946-5510
(301) 970-5510

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 hunting for any game bird or mammal, except migratory game birds, in Dorchester County during the open season for these animals on private property and public land designated for hunting by DNR during the turkey hunting season. DNR also 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. In general, Sunday hunting may only occur from 30 minutes before sunrise until 10:30 a.m. However, the time restriction does not apply (1) on each Sunday of the deer hunting seasons from the first Sunday in October through the second Sunday in January, inclusive; or (2) on each Sunday of the spring turkey hunting season.

DNR may allow Sunday hunting for any game bird or mammal, except migratory game birds, in Calvert, Caroline, Charles, and Queen Anne's counties during the open season for these animals on private property. In general, Sunday hunting may only occur from 30 minutes before sunrise until 10:30 a.m. However, the time restriction does not apply (1) on each Sunday of the deer firearms season; (2) on the last three Sundays in October and the first two Sundays in November during the deer bow hunting season; and (3) on each Sunday of the spring turkey hunting season.

DNR may allow Sunday hunting for any game bird or mammal, except migratory game birds, in Somerset County during the open season for these animals on private property and public land leased to a hunt club. In general, Sunday hunting may only occur from 30 minutes before sunrise until 10:30 a.m. However, the time restriction does not apply (1) on each Sunday of the deer firearms season and (2) on the last three Sundays in October and the first two Sundays in November during the deer bow hunting season.

Deer on Private Property

All Seasons: DNR may allow Sunday deer hunting on private property (1) in Carroll County 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); (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 in the deer firearms season and the deer bow hunting season as designated by DNR); and (4) in Talbot 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 the last three Sundays in October and the first two Sundays in November during the deer bow hunting season).

Firearms Season: DNR may allow Sunday deer hunting on private property (1) in Harford and Worcester counties on each Sunday of the deer firearms season; (2) in Anne Arundel County 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 Harford, 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 on Sundays during the spring turkey hunting season in Carroll and Kent counties and from 30 minutes before sunrise until 10:30 a.m. in Talbot County.

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.