

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 494 (Delegate Allen)
Environment and Transportation

Recreational Equality for Service Members Act

This bill generally establishes uniform definitions related to the military in the General Provisions, Natural Resources, and State Government Articles of the Maryland Code, primarily by reference to definitions in the U.S. Code. While numerous alterations within the bill represent only stylistic or technical changes, there are substantive changes. The changes primarily clarify and/or expand the availability of service member and veteran benefits and privileges to certain additional service members and veterans.

Fiscal Summary

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

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Bill Summary/Current Law: The bill adds the definition of several military terms to (1) State Government § 9-901 – definitions applicable to Title 9, Subtitle 9 (“Department of Veterans and Military Families”) of the State Government Article; (2) Natural Resources § 1-106 (by reference to State Government § 9-901) – definitions applicable throughout the Natural Resources Article; and (3) definitions under Title 1 (“Rules of Interpretation”) of the General Provisions Article (by reference to State Government § 9-901) that apply in the Maryland Code if not otherwise provided. This includes the definition of “military family” as well as all of the terms found in **Exhibit 1** below. “Military family” includes the spouse and dependent children of a service member or veteran related by blood, marriage, or adoption.

Exhibit 1
Repeated Military Definitions Added to State Government § 9-901

Term	U.S. Code Reference	Definition
Active duty	37 U.S.C. § 101	Full-time duty in the active service of a uniformed service, including full-time training duty, annual training duty, full-time National Guard duty, and attendance, while in the active service, at a school designated as a service school by law or the relevant Secretary
Active service member	N/A	An individual who is (1) an active-duty member of the uniformed services or (2) serving in a reserve component of the uniformed services on active-duty orders
Armed forces	10 U.S.C. § 101	Army, Navy, Air Force, Marine Corps, Space Force, and Coast Guard
Reserve component	37 U.S.C. § 101	The Army National Guard of the United States, the Army Reserve, the Navy Reserve, the Marine Corps Reserve, the Air National Guard of the United States, the Air Force Reserve, the Coast Guard Reserve, or the Reserve Corps of the Public Health Service
Service member	N/A	An individual who is a member of (1) the uniformed services or (2) a reserve component of the uniformed services
Uniformed services	37 U.S.C. § 101	Army, Navy, Air Force, Marine Corps, Space Force, Coast Guard, National Oceanic and Atmospheric Administration, and Public Health Service
Veteran	38 U.S.C. § 101	A person who served in the active military, naval, air, or space service, and who was discharged or released under non-dishonorable conditions

Source: Department of Legislative Services

Recreational Benefits and Privileges for Service Members and Veterans

Through addition of definitions (shown in Exhibit 1) applicable throughout the Natural Resources Article and certain other changes to provisions in the article, the bill clarifies and/or expands the availability of (primarily) recreational benefits and privileges for service members and veterans, including the following:

- *Healing Hunting and Fishing Fund* – provides grants to organizations providing recreational hunting, fishing, and other outdoor opportunities to service members, veterans, and Gold Star recipients;
- *Governmental entity or nonprofit organization fishing license exemption* – allows a governmental entity or nonprofit organization to take disabled service members and veterans fishing, or provide fishing clinics and instructional opportunities to service members and veterans, without the service members and veterans needing a recreational fishing license;
- *Fishing license does not lapse because of deployment* – ensures a fishing license does not lapse if a licensee fails to renew or make use of the license because of deployment (this appears to apply primarily to a commercial license);
- *License exemptions for active service members on leave* – allow resident active service (or, in certain cases, only armed forces) members on leave to fish recreationally and hunt without a license;
- *Hunting license exemption for armed forces member with service-connected disability and former member of the armed forces hunting on farmland* – allows a person serving in the armed forces who has a service-connected disability to hunt without a hunting license and allows a retired former member of the armed forces to hunt on active farmland owned by the person or person's family without a license;
- *Complimentary licenses for certain veterans* – provide complimentary recreational fishing and hunting licenses to (1) former prisoners of war; (2) American veterans determined to be unemployable; and (3) 100% service-connected disabled American veterans;
- *Required plan to increase engagement of veterans* – requires the Department of Natural Resources, in consultation with staff of the Wildlife Conservation, Education, and Outreach Program, to develop a plan to increase engagement of communities that historically have not had access to hunting and conservation programs, and engagement of veterans, in (1) outdoor recreation and stewardship; (2) hunting; and (3) wildlife conservation; and

- *Free entry to State parks for service members and veterans* – newly established in law by the bill (codifying current practice of the Maryland Park Service and expanding its availability primarily to current and former commissioned officers of the Public Health Service (PHS) and the National Oceanic and Atmospheric Administration (NOAA)), allows an active service member or veteran to enter a State park without paying a day-use entry fee or any per-vehicle fee.

State Fiscal Effect: Although the changes in the bill expand the availability of certain benefits and privileges for service members and veterans, primarily to current and former commissioned officers in PHS and NOAA (in cases in which they are not already eligible under current law), that expansion is not expected to have a material fiscal impact. In January 2020, the latest date for which information is readily available, there were an estimated 2,200 PHS officers living in Maryland, with about 1,500 on active duty and 700 retired. As of September 2024, there are 53 NOAA officers in the State.

Additional Comments: Under additional definitions under 38 U.S.C. § 101, “active military, naval, air, or space service” includes full-time duty in a reserve component of the armed forces, full-time duty as a commissioned officer of the Regular or Reserve Corps of PHS or commissioned officer corps of NOAA, and service as a cadet or midshipman at a service academy (Military, Air Force, Coast Guard, or Naval academies).

Additional Information

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

Designated Cross File: SB 282 (Senator Simonaire, *et al.*) - Education, Energy, and the Environment.

Information Source(s): Department of Budget and Management; Maryland Department of the Environment; Maryland Department of Health; Department of Natural Resources; Maryland Department of Transportation; Department of Veterans and Military Families; Maryland Insurance Administration; Governor’s Office of Small, Minority, and Women Business Affairs; Department of Legislative Services

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