

# SENATE BILL 166

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(PRE-FILED)

6lr1052

CF 6lr1884

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By: Senator Bailey

Requested: October 1, 2025

Introduced and read first time: January 14, 2026

Assigned to: Education, Energy, and the Environment

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## A BILL ENTITLED

1 AN ACT concerning

2 **Shellfish Aquaculture – Penalties – Suspension or Revocation of Permit or**  
3 **Registration Card**

4 FOR the purpose of authorizing the suspension or revocation of a shellfish aquaculture  
5 harvester permit or shellfish aquaculture harvester registration card for certain  
6 violations; prohibiting a person whose registration or permit card has been  
7 suspended or revoked in accordance with this Act from engaging or working in any  
8 aquaculture activity during the suspension or revocation; and generally relating to  
9 shellfish aquaculture.

10 BY adding to

11 Article – Natural Resources

12 Section 4-1212

13 Annotated Code of Maryland

14 (2023 Replacement Volume and 2025 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
16 That the Laws of Maryland read as follows:

17 **Article – Natural Resources**

18 **4-1212.**

19 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**  
20 **INDICATED.**

21 **(2) “PERMIT” MEANS A SHELLFISH AQUACULTURE HARVESTER**  
22 **PERMIT ISSUED BY THE DEPARTMENT.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(3) "REGISTRATION CARD" MEANS A SHELLFISH AQUACULTURE HARVESTER REGISTRATION CARD ISSUED BY THE DEPARTMENT.

3 (B) (1) IN ADDITION TO ANY OTHER PENALTY OR FINE PROVIDED IN THIS  
4 TITLE, A PERSON WHO HOLDS A SHELLFISH AQUACULTURE HARVESTER PERMIT OR  
5 SHELLFISH AQUACULTURE HARVESTER REGISTRATION CARD AND RECEIVES A  
6 CITATION FOR AN OFFENSE LISTED UNDER PARAGRAPH (2) OF THIS SUBSECTION  
7 MAY, IN ACCORDANCE WITH THIS SECTION, HAVE THE PERMIT OR REGISTRATION  
8 CARD:

9 (I) FOR A FIRST VIOLATION, SUSPENDED FOR UP TO 5 YEARS;  
10 AND

11 (III) FOR A SECOND OR SUBSEQUENT VIOLATION, REVOKED.

22 (IV) TAKING OYSTERS FROM A LEASED AREA BY A PERSON  
23 OTHER THAN THE LEASEHOLDER OR THE LEASEHOLDER'S DESIGNEE: AND

24 (v) TAKING OYSTERS FOR COMMERCIAL PURPOSES FROM A  
25 NATURAL OYSTER BAR OR THE PUBLIC SHELLFISH FISHERY AREA WITHOUT A VALID  
26 AUTHORIZATION TO CATCH OYSTERS UNDER § 4-701 OF THIS TITLE.

27 (C) (1) BEFORE THE SUSPENSION OR REVOCATION OF A PERMIT OR  
28 REGISTRATION CARD UNDER THIS SECTION, THE DEPARTMENT SHALL HOLD A  
29 HEARING ON THE MATTER IN ACCORDANCE WITH THE ADMINISTRATIVE  
30 PROCEDURE ACT UNDER TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT  
31 ARTICLE.

7 (D) A PERSON WHO IS AGGRIEVED BY THE FINAL DECISION OF THE  
8 DEPARTMENT MAY OBTAIN JUDICIAL REVIEW OF THE DECISION IN ACCORDANCE  
9 WITH THE ADMINISTRATIVE PROCEDURE ACT UNDER TITLE 10, SUBTITLE 2 OF THE  
10 STATE GOVERNMENT ARTICLE.

11 (E) A PERSON WHOSE REGISTRATION OR PERMIT CARD HAS BEEN  
12 SUSPENDED OR REVOKED IN ACCORDANCE WITH THIS SECTION MAY NOT ENGAGE  
13 OR WORK IN ANY AQUACULTURE ACTIVITY DURING THE SUSPENSION OR  
14 REVOCATION WHETHER OR NOT THE WORK REQUIRES THE USE OF ANOTHER  
15 LICENSE.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
17 October 1, 2026.