

SENATE BILL 166

M2

(PRE-FILED)

6lr1052

CF 6lr1884

By: Senator Bailey

Requested: October 1, 2025

Introduced and read first time: January 14, 2026

Assigned to: Education, Energy, and the Environment

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.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

(II) 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.