

JACK BAILEY
Legislative District 29
Calvert and St. Mary's Counties

Judicial Proceedings Committee



THE SENATE OF MARYLAND
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Senate Bill 582 – Natural Resources – Recreation on Private Land – Hunting

Dear Chairman Pinsky and Members of the Committee,

I am writing to introduce Senate Bill 582 – Natural Resources – Recreation on Private Land – Hunting. This bill would provide that if a landowner directly invites or permits an individual to use the landowner's property for hunting, that individual impliedly consents to adhere to every law, observe every safety precaution and practice, take every precaution against fire, and assume all responsibility and liability for the individual's safety and property while hunting on that property.

This bill was introduced in response to concerns from landowners following the Court of Special Appeals' ruling in *Martinez v. Ross* that significantly narrowed the scope of Maryland's recreational use statute, which provides protections to landowners who allow others to engage in recreational activity on their property. This is a significant departure from previous interpretations of this law and, while that case did not involve hunting specifically, the Court's ruling has led to a very understandable hesitation on the part of some landowners to allow hunting on their property.

Senate Bill 582 is an attempt to clarify the law to ensure that it continues to protect landowners who allow individuals to hunt on their property as it did before the Court's ruling. It is important to note that the Department of Natural Resources also recommended this action in a response to the Joint Chairmen's Report last year, which is attached to this testimony; the recommendation can be found on page 5 of the report. I have been working with the Maryland Farm Bureau and the Hunters of Maryland to ensure that this bill addresses this issue and I have submitted an amendment to ensure the bill maintains the interpretation of this statute as it was before the Court's ruling, which also conforms it to the language in the House version of the bill, House Bill 956.

I respectfully request a favorable report with amendments on Senate Bill 582. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Bailey", written over a horizontal line.

Senator Jack Bailey
District 29
Calvert and St. Mary's Counties