



Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor
Jeannie Haddaway-Riccio, Secretary
Allan Fisher, Deputy Secretary

Bill Number: HB 956

Short Title: Natural Resources - Recreation on Private Land - Hunting

Department's Position: Letter of Information

Explanation of Department's Position

The Maryland Department of Natural Resources (Department or DNR) provides the following information on HB 956. This is an important bill as it clarifies the intent of the legislature regarding the liability of a landowner who allows individuals to access their land for recreation, including hunting activities.

In *Martinez v. Ross*, the Maryland Court of Special Appeals held that a landowner must open their land to the public-at-large in order to receive certain protections under the Maryland Recreational Use statute.

Recognizing that more than 75% of the deer taken in Maryland are harvested on private land, it is critically important that landowners are afforded protection from liability when they open their properties to recreation.

The Department suggests the following modifications to the bill would amplify the legislative intent and broaden the applicability of the liability protections afforded under the statute:

(1) removing the references to "public use" and "by the public" and (2) removing "directly" on page 2 in line 12 so that the statutory provision would apply to all invitees without ambiguity as to whether they were "directly" invited or not.

For any additional information, please feel free to contact our Legislative and Constituent Services Director, Bunky Luffman.