

# HOUSE BILL 502

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CF SB 259

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By: **Delegates Bohanan, Jameson, Kullen, O'Donnell, and Wood**

Introduced and read first time: February 1, 2010

Assigned to: Environmental Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: April 3, 2010

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Calvert, Charles, and St. Mary's Counties – Deer Hunting**

3 FOR the purpose of ~~requiring the Department of Natural Resources to establish a~~  
4 ~~program in certain counties to train rifle shooters to hunt deer during daylight~~  
5 ~~hours for the purpose of controlling the deer population; requiring the~~  
6 ~~Department to give certain applicants priority to participate in the program;~~  
7 ~~requiring the Department to adopt certain regulations; authorizing a person to~~  
8 ~~hunt deer with a certain shotgun in certain counties during certain months;~~  
9 ~~authorizing a person who holds a Deer Damage Permit in certain counties to~~  
10 ~~hunt with a certain shotgun during deer season in certain locations, and to hunt~~  
11 ~~deer on certain State lands under certain conditions~~ authorizing, in certain  
12 counties, the Department of Natural Resources to allow a person to hunt deer  
13 on private property on certain Sundays; prohibiting the Department from  
14 requiring a person who holds a Deer Damage Management Permit in certain  
15 counties to renew the permit more frequently than at a certain interval;  
16 ~~defining a certain term~~ stating the intent of the General Assembly that the  
17 Department evaluate certain deer hunting opportunities on certain public lands  
18 for certain purposes; authorizing, in St. Mary's County, a person who holds a  
19 certain permit to hunt deer with a shotgun on private property during certain  
20 months; providing for the termination of certain provisions of this Act; and  
21 generally relating to the regulation by the Department of Natural Resources of  
22 deer hunting in Calvert, Charles, and St. Mary's counties.

23 BY repealing and reenacting, with amendments,

24 Article – Natural Resources

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Section 10-410(a)  
 2 Annotated Code of Maryland  
 3 (2007 Replacement Volume and 2009 Supplement)

4 BY adding to  
 5 Article – Natural Resources  
 6 Section ~~10-408.2~~ and 10-415(d)  
 7 Annotated Code of Maryland  
 8 (2007 Replacement Volume and 2009 Supplement)

9 ~~BY repealing and reenacting, with amendments,~~  
 10 ~~Article – Natural Resources~~  
 11 ~~Section 10-415(a)~~  
 12 ~~Annotated Code of Maryland~~  
 13 ~~(2007 Replacement Volume and 2009 Supplement)~~

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

16 **Article – Natural Resources**

17 ~~10-408.2.~~

18 ~~(A) THE DEPARTMENT SHALL ESTABLISH A PROGRAM IN CALVERT,~~  
 19 ~~CHARLES, AND ST. MARY'S COUNTIES TO TRAIN RIFLE SHOOTERS TO HUNT~~  
 20 ~~DEER DURING DAYLIGHT HOURS TO CONTROL THE DEER POPULATION IN~~  
 21 ~~CALVERT, CHARLES, AND ST. MARY'S COUNTIES.~~

22 ~~(B) WHEN SELECTING APPLICANTS FOR PARTICIPATION IN THE~~  
 23 ~~PROGRAM UNDER SUBSECTION (A) OF THIS SECTION, THE DEPARTMENT SHALL~~  
 24 ~~GIVE PRIORITY TO APPLICANTS WHO HOLD A DEER DAMAGE PERMIT, AS~~  
 25 ~~DEFINED IN § 10-415(D) OF THIS SUBTITLE.~~

26 ~~(C) THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT~~  
 27 ~~THIS SECTION.~~

28 ~~10-415.~~

29 (a) ~~(1) There are the following 3 seasons to hunt deer:~~

30 ~~[(1)] (I) Deer bow hunting season;~~

31 ~~[(2)] (II) Deer firearms season; and~~

32 ~~[(3)] (III) Deer muzzle loader season.~~

~~(2) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A PERSON MAY HUNT DEER WITH A SHOTGUN APPROVED BY THE DEPARTMENT FROM JANUARY THROUGH MARCH IN CALVERT, CHARLES, AND ST. MARY'S COUNTIES.~~

~~(D) (1) IN THIS SUBSECTION, "DEER DAMAGE PERMIT" MEANS A PERMIT ISSUED BY THE DEPARTMENT TO AN AGRICULTURAL LANDOWNER OR LESSEE IN THE STATE EXPERIENCING SEVERE CROP DAMAGE FROM DEER THAT ALLOWS THE LANDOWNER OR LESSEE TO HUNT DEER OUTSIDE OF DEER HUNTING SEASON ACCORDING TO CONDITIONS SET FORTH IN THE PERMIT.~~

~~(2) A PERSON WHO HOLDS A DEER DAMAGE PERMIT IN CALVERT COUNTY, CHARLES COUNTY, OR ST. MARY'S COUNTY MAY:~~

~~(i) USE A SHOTGUN APPROVED BY THE DEPARTMENT TO HUNT DEER THROUGHOUT DEER SEASON IN THE LOCATIONS AND UNDER THE CONDITIONS SET FORTH IN THE PERMIT; AND~~

~~(ii) HUNT DEER ON STATE AGRICULTURAL CROP LAND LOCATED IN CALVERT, CHARLES, AND ST. MARY'S COUNTIES TO THE SAME EXTENT AS THE PERSON IS AUTHORIZED UNDER THE DEER DAMAGE PERMIT TO HUNT ON PRIVATE LAND IN CALVERT, CHARLES, AND ST. MARY'S COUNTIES.~~

10-410.

(a) (1) Except as provided in paragraphs (2), [and] (3), AND (5) of this subsection, a person may not hunt any game bird or mammal on Sundays.

(2) The following persons may hunt the specified game birds and mammals on Sundays:

(i) A person using State certified raptors to hunt game birds or mammals during open season;

(ii) An unarmed person participating in an organized fox chase to chase foxes;

(iii) Provided that the provisions of § 10-906(b)(3) of this title are met, a person:

1. Using a regulated shooting ground under § 10-906 of this title to hunt the following pen-reared game birds:

A. Pheasants;

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- 1                    B.    Bobwhite quail;  
 2                    C.    Chukar partridge;  
 3                    D.    Hungarian partridge;  
 4                    E.    Tower released flighted mallard ducks; and  
 5                    F.    Turkey on a regulated shooting ground that was  
 6 permitted to release turkey before September 1, 1992; and

7                    2.    Having the written permission of the owner of the  
 8 land or other person designated by the owner of the land, if the land is owned or leased  
 9 by a person other than the person hunting on Sundays; and

10                    (iv)   Subject to the provisions of § 10-411 of this subtitle, in  
 11 Dorchester, Frederick, [St. Mary's,] Somerset, Washington, Wicomico, and Worcester  
 12 counties, a person hunting deer on private property with a bow and arrow during open  
 13 season on the last three Sundays in October and the second Sunday in November.

14                    (3)    Provided that the provisions of § 10-415 of this subtitle are met  
 15 and subject to paragraph (4) of this subsection, the Department may allow a person to  
 16 hunt deer on private property on the first Sunday of:

17                    (i)    The bow hunting season in November; and

18                    (ii)   The deer firearms season.

19                    (4)    The Sunday deer hunting provisions under paragraph (3) of this  
 20 subsection do not apply:

21                    (i)    In Baltimore, CALVERT, Carroll, CHARLES, Howard, [and]  
 22 Prince George's, AND ST. MARY'S counties; and

23                    (ii)   In Baltimore City.

24                    **(5)   (I)   THIS PARAGRAPH APPLIES ONLY IN CALVERT COUNTY,**  
 25 **CHARLES COUNTY, AND ST. MARY'S COUNTY.**

26                    **(II)   SUBJECT TO §§ 10-411 AND 10-415 OF THIS SUBTITLE,**  
 27 **THE DEPARTMENT MAY ALLOW A PERSON TO HUNT DEER ON PRIVATE**  
 28 **PROPERTY FROM THE FIRST SUNDAY IN OCTOBER THROUGH THE SECOND**  
 29 **SUNDAY IN JANUARY OF THE FOLLOWING YEAR, INCLUSIVE.**

30                    ~~(3)~~

1 10-415.

2 **(D) (1) THE DEPARTMENT MAY NOT REQUIRE A PERSON WHO HOLDS**  
3 **A DEER ~~DAMAGE~~ MANAGEMENT PERMIT IN CALVERT COUNTY, CHARLES**  
4 **COUNTY, OR ST. MARY'S COUNTY, ISSUED IN ACCORDANCE WITH REGULATIONS**  
5 **ADOPTED BY THE DEPARTMENT, TO APPLY FOR RENEWAL MORE THAN ONCE**  
6 **EVERY 3 YEARS.**

7 **(2) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE**  
8 **DEPARTMENT EVALUATE POTENTIAL DEER HUNTING OPPORTUNITIES ON**  
9 **PUBLIC LANDS MANAGED BY THE DEPARTMENT IN CALVERT COUNTY,**  
10 **CHARLES COUNTY, AND ST. MARY'S COUNTY TO:**

11 **(i) MINIMIZE THE IMPACT OF CROP DAMAGE CAUSED BY**  
12 **DEER ON AGRICULTURAL LANDS; AND**

13 **(ii) MAINTAIN A LOCAL DEER POPULATION APPROPRIATE**  
14 **FOR THE NATURAL ENVIRONMENT.**

15 ~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect~~  
16 ~~October 1, 2010.~~

17 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
18 read as follows:

19 **Article – Natural Resources**

20 10-415.

21 **(D) (3) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IN ST.**  
22 **MARY'S COUNTY, A PERSON WHO HOLDS A VALID DEER MANAGEMENT PERMIT**  
23 **ISSUED IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE DEPARTMENT**  
24 **MAY HUNT DEER WITH A SHOTGUN ON PRIVATE PROPERTY DURING THE**  
25 **MONTHS OF SEPTEMBER AND OCTOBER.**

26 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 July 1, 2010. Section 2 of this Act shall remain effective for a period of 6 months and,  
28 at the end of December 31, 2010, with no further action required by the General  
29 Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.