

Chapter 169

(House Bill 800)

AN ACT concerning

Aquaculture Leases – Marking and Recording Requirements – Natural Resources – Waters of the State – Mobile Locator Application

FOR the purpose of requiring the Department of Natural Resources to develop a certain mobile locator application for use on the waters of the State; providing for the purpose of the mobile locator application; authorizing the Department to contract with a ~~third-party developer~~ third party to develop the mobile locator application; and generally relating to ~~marking and recording requirements for aquaculture leases~~ a mobile locator application for use on the waters of the State.

~~BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 4-11A-10(a)(2) and (3) and 4-11A-12(a)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)~~

~~BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4-11A-12(d)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)~~

BY adding to
Article – Natural Resources
Section 4-222
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

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

Article – Natural Resources

~~4-11A-10.~~

~~(a) A leaseholder shall:~~

~~(2) Mark each lease area with an 8-inch by 12-inch marker displaying the initials of the leaseholder and posted on a minimum of four poles;~~

~~(3) Comply with any other marking requirements established by the Department for the protection of navigation;~~

~~4-11A-12.~~

~~(a) The Department shall maintain a record of leases issued under this subtitle.~~

~~(d) (1) In consultation with the Department of the Environment and the Wetlands Administrator of the Board of Public Works, the Department shall adopt regulations to implement this subtitle.~~

~~(2) (1) IN ADDITION TO THE REGULATIONS ADOPTED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE~~

4-222.

(A) THE DEPARTMENT SHALL DEVELOP A MOBILE APPLICATION FOR USE BY AN INDIVIDUAL WHILE ON THE WATERS OF THE STATE.

~~(B)~~ **(B) THE PURPOSE OF THE MOBILE APPLICATION DEVELOPED UNDER THIS PARAGRAPH SECTION IS TO USE INTERACTIVE MAPS TO AID AN INDIVIDUAL WHO IS ON THE WATERS OF THE STATE IN DETERMINING THE INDIVIDUAL'S LOCATION, IN REAL TIME, RELATIVE TO:**

~~1.~~ **(1) AQUACULTURE ENTERPRISE ZONES;**

~~2.~~ **AQUACULTURE LEASES;**

~~3.~~ **(2) DEMONSTRATION LEASES;**

~~4.~~ **(3) ~~FIXED FISHING DEVICES~~ REGISTERED POUND NET SITES;**

~~5.~~ **(4) NATURAL ~~CLAM OR~~ OYSTER BARS;**

~~6.~~ **(5) OYSTER SANCTUARIES;**

~~7.~~ **(6) PUBLIC SHELLFISH FISHERY AREAS;**

~~8.~~ **(7) SAV PROTECTION ZONES;**

~~9.~~ **(8) YATES BARS; OR**

~~10.~~ **(9) ANY OTHER ~~DATA~~ AREAS THAT THE DEPARTMENT DEEMS RELEVANT.**

~~(H)~~ (C) THE DEPARTMENT MAY CONTRACT WITH A THIRD PARTY TO DEVELOP THE MOBILE APPLICATION REQUIRED UNDER THIS ~~PARAGRAPH~~ SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2021.

Approved by the Governor, May 18, 2021.