

SENATE BILL 88

M2

51r0835
CF 51r0420

By: **Senator Astle**

Introduced and read first time: January 26, 2015

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources – Game Birds – Baiting**

3 FOR the purpose of altering the prohibition against a person hunting certain game birds
4 by the aid of baiting or on or over a baited area to require that the person know or
5 reasonably should know that the area is a baited area before a violation occurs; and
6 generally relating to hunting game birds by bait or on or over a baited area.

7 BY repealing and reenacting, with amendments,
8 Article – Natural Resources
9 Section 10–412
10 Annotated Code of Maryland
11 (2012 Replacement Volume and 2014 Supplement)

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

14 **Article – Natural Resources**

15 10–412.

16 (a) (1) In this section the following words have the meanings indicated.

17 (2) “Baiting” means the placing, exposing, depositing, distributing, or
18 scattering of shelled, shucked, or unshucked corn, wheat or other grain, salt, or other feed
19 so as to constitute for birds a lure, attraction, or enticement to, on, or over any areas where
20 persons are attempting to hunt them.

21 (3) “Baited area” means any area where shelled, shucked, or unshucked
22 corn, wheat or other grain, salt, or other feed capable of luring, attracting, or enticing birds
23 is directly or indirectly placed, exposed, deposited, distributed, or scattered, and this area

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 remains a baited area for 10 days following complete removal of all corn, wheat or other
2 grain, salt, or other feed.

3 (b) A person may not hunt wetland game birds or upland game birds, except quail
4 and pheasant, by the aid of baiting, or on or over any baited area, **IF THE PERSON KNOWS**
5 **OR REASONABLY SHOULD KNOW THAT THE AREA IS A BAITED AREA.**

6 (c) This section does not prohibit:

7 (1) The hunting of wetland and upland game birds on or over standing
8 crops, flooded standing crops (including aquatics), flooded harvested croplands, grain crops
9 properly shocked on the field where grown, or grains found scattered solely as the result of
10 normal agricultural planting or harvesting; and

11 (2) The hunting of all upland game birds on or over any lands where
12 shelled, shucked, or unshucked corn, wheat or other grain, salt, or other feed has been
13 distributed or scattered as the result of bona fide agricultural operations or procedures, or
14 as a result of manipulation of a crop or other feed on the land where grown for wildlife
15 purposes. Manipulation for wildlife management purposes does not include the distributing
16 or scattering of grain or other feed once it has been removed from or stored on the field
17 where grown.

18 (d) By rule or regulation, the Department may exempt from this section captive
19 raised mallard ducks which are released on a regulated shooting ground to be shot at
20 immediately after release.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2015.