

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 863

(Delegate Stein, *et al.*)

Environment and Transportation

Education, Health, and Environmental Affairs

Natural Resources – Organized Killing Contests – Restrictions

This bill prohibits a person from sponsoring, conducting, or participating in a contest organized in Maryland that has the objective of killing a coyote, fox, or raccoon for prizes or monetary rewards. The bill may not be construed to prohibit (1) a landowner or the landowner’s agent or lessee from killing coyotes, foxes, or raccoons on the landowner’s property, as long as the killing is not part of an organized contest, or (2) lawful dog training or dog performance competitions. The bill establishes a \$25 fine for each coyote, fox, or raccoon killed in violation of the bill. **The bill takes effect July 1, 2020.**

Fiscal Summary

State Effect: The bill is not anticipated to materially affect State finances or operations. The application of existing criminal penalty provisions to the bill’s provisions, and the fine established by the bill, are not expected to materially affect State finances.

Local Effect: The bill does not materially affect local government finances or operations.

Small Business Effect: Minimal.

Analysis

Current Law/Background: A “fur-bearing mammal” means any coyote, raccoon, bobcat, opossum, beaver, mink, muskrat, otter, fox, skunk, fisher, and long-tailed weasel, or any part, offspring, or dead body of any of them. There are legal hunting seasons in Maryland for fox, coyote, raccoon, and opossum.

General Hunting Restrictions Related to Hunting Fur-bearing Mammals

With certain exceptions, a person must have a Maryland resident or nonresident hunting license in order to hunt or attempt to hunt all legal game birds and mammals during the appropriate season in the State. With certain exceptions, a Maryland resident or nonresident must have a furbearer permit in order to hunt, chase, or trap any furbearer in the State or participate in the unarmed chasing of foxes and raccoons in the State. Generally, any person who traps or attempts to trap furbearers in the State under the authority of a furbearer permit must first obtain a certificate of trapper education.

A group furbearer permit enables an association or group established for the purpose of chasing or hunting furbearers to organize and offer hunting or chasing of furbearers to the association's or group's members or guests. A group furbearer permit is valid for the period from August 1 of each year through July 31 of the following year, and the annual fee is \$10. The group hunting or chasing must occur within the open season for the species being pursued. A group furbearer permit is only available to a group that is hunting or chasing a furbearer (including foxes), not trapping. Any unarmed participant in a chase is exempt from the requirement to obtain a hunting license.

Prohibition Against Organized Contest to Hunt Unprotected Birds

Chapter 670 of 2018 prohibits a person from conducting or participating in an organized contest for prizes or monetary awards for which unprotected birds are launched by mechanical or manual means as targets; this prohibition does not apply (1) to lethally taking unprotected birds to protect or manage public or private property, domestic animals, livestock, or wildlife or (2) during an otherwise authorized hunting or dog training activity. A person who violates this prohibition is subject to a fine of \$25 for each unprotected bird killed.

Retriever Dog Training Permit

A person must have a retriever dog training permit in order to shoot captive-raised game birds for the purpose of training a retriever dog. A retriever dog training permit enables the purchaser to possess and release captive-raised quail, chukar partridge, pheasant, and mallard ducks in order to train a retriever dog. The annual fee for the permit is \$5, and the permit is valid for one year.

Relevant Penalties

Under current law, a person who violates any provision of Title 10 (Wildlife) of the Natural Resources Article is guilty of a misdemeanor. Various penalties apply for first and subsequent offenses. Fines collected for such violations are credited to the State Wildlife

Management and Protection Fund. Additionally, a Natural Resources Police officer, or any law enforcement officer who arrests a person for violating Title 10 of the Natural Resources Article, may seize every bird, mammal, reptile, and amphibian unlawfully caught, sold, offered for sale, transported, or possessed. DNR may dispose of any seized species of wildlife at the department's discretion.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Department of Natural Resources; Department of Legislative Services

Fiscal Note History: First Reader - February 24, 2020
rh/lgc Third Reader - March 16, 2020
Revised - Amendment(s) - March 16, 2020

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