

SENATE BILL 66

M2

7lr0892

(PRE-FILED)

By: ~~Senator Simonaire~~ **Senators Simonaire and Norman**

Requested: October 17, 2016

Introduced and read first time: January 11, 2017

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: January 30, 2017

CHAPTER _____

1 AN ACT concerning

2 **Hunter Safety Courses – Application of Requirement and Establishment of**
3 **Incentives Program – ~~Establishment~~**

4 FOR the purpose of requiring a certain person to make, in order to procure a certain
5 hunting license under certain circumstances, an affidavit that the person hunted
6 before a certain date rather than that the person had a certain hunting license;
7 limiting the exemption from the application of this Act to a certain person who
8 purchases a certain hunting license; authorizing the Department of Natural
9 Resources to adopt regulations to establish a program of incentives for the
10 completion of a hunter safety course by a certain individual; providing that the
11 program may include discounts on hunting licenses and any other incentive the
12 Department determines to be appropriate; making certain stylistic changes; and
13 generally relating to hunter safety courses.

14 BY repealing and reenacting, with amendments,
15 Article – Natural Resources
16 Section 10–301.1
17 Annotated Code of Maryland
18 (2012 Replacement Volume and 2016 Supplement)

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

21 **Article – Natural Resources**

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 10-301.1.

2 (a) (1) (i) On or after July 1, 1977 a person under 18 years of age may not
3 procure a hunting license or hunt in the State, unless the person has first been issued a
4 certificate of competency in firearms and hunter safety.

5 (ii) On or after July 1, 1977 a person, regardless of age, may not
6 procure a hunting license without producing a certificate of competency or a hunting license
7 issued ~~prior to~~ **BEFORE** July 1, 1977 or making out an affidavit that the person ~~had such a~~
8 ~~license~~ **HUNTED BEFORE JULY 1, 1977.**

9 (2) (I) This section does not apply to nonresidents of Maryland who
10 purchase a **NONRESIDENT 3-DAY** hunting license in the State to hunt wild waterfowl.

11 (II) [However, this does apply] **THIS SECTION APPLIES** to
12 nonresidents of Maryland who purchase hunting licenses in the State to hunt [other]
13 wildlife **OTHER THAN WILD WATERFOWL.**

14 (b) (1) The Department shall prescribe a course of instruction in conservation
15 and in competency and safety in the handling of firearms.

16 (2) (I) The Department shall designate those persons or agencies
17 authorized to give the course of instruction, and this designation shall be valid until
18 revoked by the Department.

19 (II) Those designated persons shall submit to the Department
20 validated listings naming all persons who have successfully completed the course of
21 instruction.

22 (3) The Department shall issue a certificate of competency and safety to
23 each person who successfully completes the course of instruction, and the certificate shall
24 be valid until revoked by the Department.

25 (4) The Department may not issue a certificate of competency and safety to
26 an individual under the age of 18 unless the individual has completed satisfactorily the
27 course of instruction, or produces a certificate of competency or a hunting license issued
28 prior to July 1, 1978 or makes out an affidavit that the individual had such a license.

29 (c) (1) The Department shall institute and coordinate a statewide course of
30 instruction in conservation and in competency and safety in the handling of firearms, and
31 in so doing, the Department may cooperate with any political subdivision or with any
32 reputable organization having as one of its objectives the promotion of competency and
33 safety in the handling of firearms, such as the National Rifle Association and local rod and
34 gun clubs.

(2) The Department may conduct the course in hunter safety and issue the certificates, using Department personnel or other persons at times and in areas where other competent agencies are unable or unwilling to meet the demand for instruction.

(3) Any similar certificate, or hunting license, issued outside the State by a governmental agency, shall be accepted as complying with the requirements of paragraph (1) of this subsection, if the privileges are reciprocal for Maryland residents.

(d) The Department shall adopt regulations to provide for the course of instruction and the issuance of the certificates consistent with the purpose of this section.

(e) (1) On or after July 1, 1977 any person who obtains a hunting license by presenting a fictitious certificate of competency or who attempts to obtain a certificate of competency or hunting license through fraud shall have his hunting privileges revoked by the Department for a period not to exceed 1 year.

(2) Any applicant who is refused a certificate of competency under this section may appeal the decision or action of the issuing unit to the Secretary.

(f) (1) The Department or a person designated by the Department may issue a 1-year gratis hunting license to a Maryland resident under the age of 16 years who has successfully completed a hunter safety course.

(2) A hunting license issued under this subsection shall include all applicable hunting stamps, except for migratory game bird stamps and bonus deer stamps.

(3) An individual may be issued only one such license during the individual's lifetime.

(g) (1) The Department or a person designated by the Department shall issue a complimentary hunting license each year to an individual who:

(i) Has been authorized by the Department to give the course of instruction in conservation and in competency and safety in the handling of firearms under subsection (b) of this section;

(ii) Has completed at least 5 years of service as an instructor of this course;

(iii) Maintains active certification as an instructor of this course;

(iv) Has taught two hunter safety courses during the fiscal year preceding the issuance of the license; and

(v) Has indicated to the Department an interest in receiving a complimentary hunting license.

(2) A hunting license issued under this subsection shall include all applicable hunting stamps, except for migratory game bird stamps and bonus deer stamps.

(H) (1) THE DEPARTMENT MAY ADOPT REGULATIONS TO ESTABLISH A PROGRAM TO PROVIDE INCENTIVES FOR THE SUCCESSFUL COMPLETION OF A HUNTER SAFETY COURSE BY AN INDIVIDUAL WHO IS NOT REQUIRED BY LAW TO COMPLETE A HUNTER SAFETY COURSE.

(2) THE PROGRAM MAY INCLUDE:

(I) DISCOUNTS ON HUNTING LICENSES; AND

(II) ANY OTHER INCENTIVE THE DEPARTMENT DETERMINES TO BE APPROPRIATE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.