

Chapter 789

(House Bill 177)

AN ACT concerning

**Killing or Wounding Black Bears – Penalties – Exemption for Protection of
Managed Honey Bee Colonies**

FOR the purpose of exempting an individual who kills or wounds a black bear in defense of the life of a honey bee in a certain bee colony from certain penalties, subject to a certain exception; establishing that the exemption does not apply *applies only* if the individual has ~~not~~ taken certain actions; and generally relating to penalties for killing or wounding a black bear.

BY repealing and reenacting, with amendments,
 Article – Natural Resources
 Section 10–423
 Annotated Code of Maryland
 (2012 Replacement Volume and 2016 Supplement)

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

Article – Natural Resources

10–423.

(a) **(1) ~~Any~~ EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, ANY** penalty imposed under this section does not apply to an individual who kills or wounds a black bear in defense of the individual's own life, the lives of other individuals, or the lives of animals, **INCLUDING HONEY BEES IN A BEE COLONY MANAGED BY THE INDIVIDUAL,** on the individual's property.

(2) THE EXEMPTION FOR AN INDIVIDUAL THAT KILLS OR WOUNDS A BLACK BEAR IN DEFENSE OF A HONEY BEE UNDER PARAGRAPH (1) OF THIS SUBSECTION ~~DOES NOT APPLY~~ APPLIES ONLY TO AN INDIVIDUAL WHO HAS ~~NOT~~

(i) ~~CONTACTED THE DEPARTMENT TO RECEIVE AN ELECTRIC FENCE; AND~~

(ii) ~~INSTALLED~~ INSTALLED AND PROPERLY MAINTAINED THE AN ELECTRIC FENCE.

(b) If the Secretary adopts any regulation, including an emergency regulation, under § 10–205 of this title or § 10–405 of this subtitle to prohibit the hunting, possessing,

selling, purchasing, shipping, carrying, transporting, or exporting of black bears, a person who violates the regulation is subject to the following penalties:

(1) For a first offense, a fine not exceeding \$1,500, imprisonment not exceeding 6 months, or both; and

(2) For a second or subsequent offense, a fine not exceeding \$2,000, imprisonment not exceeding 1 year, or both.

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

Enacted under Article II, § 17(c) of the Maryland Constitution, May 27, 2017.