

Department of Legislative Services
 Maryland General Assembly
 2026 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1304 (Delegate R. Long)
 Environment and Transportation

Natural Resources - Fishing Without a License - Enforcement

This bill requires the Department of Natural Resources (DNR) to suspend a person’s commercial or recreational fishing privileges for a specified period of time (one month for a first offense, six months for a second offense, and one year for a third or subsequent offense) if they are charged with commercially or recreationally fishing without a license and held the appropriate commercial or recreational fishing license in the previous license year and failed to renew it. A person may apply for a new license during the suspension, subject to the remaining time on the suspension of their fishing privileges. The bill applies retroactively to any person charged with commercially or recreationally fishing without a license on or after September 1, 2025. **The bill takes effect June 1, 2026.**

Fiscal Summary

State Effect: No effect in FY 2026. General fund expenditures increase by at least \$121,300 in FY 2027, with ongoing costs in future years. Revenues are not directly affected.

(in dollars)	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	121,300	95,400	99,900	104,400	109,000
Net Effect	(\$121,300)	(\$95,400)	(\$99,900)	(\$104,400)	(\$109,000)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: The bill establishes that – in addition to any other penalty provided under Title 4 (Fish and Fisheries) of the Natural Resources Article – if a person charged with commercially or recreationally fishing without a license held the appropriate commercial or recreational fishing license in the previous license year and failed to renew the commercial or recreational fishing license, DNR must suspend the person’s commercial or recreational fishing privileges, as appropriate: (1) for a first offense, for one month; (2) for a second offense, for six months; and (3) for a third or subsequent offense, for one year.

A person whose commercial or recreational fishing privileges are suspended may apply for a new license during the term of suspension. If DNR issues a new license to the person, that license must be subject to any remaining time on the suspension of the person’s fishing privileges.

DNR must provide an oral or written notice of the nature of the violation and of the penalties associated with the violation to a person who is charged with fishing without a commercial or recreational fishing license and failed to renew the appropriate commercial or recreational fishing license in the previous license year.

Current Law:

Fishing Licenses

Commercial

Apart from commercial licenses to fish for Chesapeake Channa and blue and flathead catfish, DNR uses a single, commercial license, known as a tidal fish license, which authorizes a licensee to engage in each activity indicated on the license. The department may issue authorizations for activities listed in statute for which the indicated fee has been paid. A licensee must submit an application to renew a tidal fish license by August 31 (or the next business day if the department is not open) for the following license year.

Recreational

In general, any person age 16 or older (1) must secure an angler’s license to fish in the nontidal waters of the State and (2) must obtain a Chesapeake Bay and coastal sport fishing (recreational tidal) license before fishing for finfish in the tidal waters of the State, including the Chesapeake Bay and its tributaries, the State waters of the Atlantic Ocean, and the Atlantic coastal bays. The licenses are valid for one year following the date of issuance.

Under the provisions governing the Chesapeake Bay and coastal sport fishing license, DNR is authorized to provide by regulation for the issuance of an annual special Chesapeake Bay and coastal sport fishing license (which DNR [calls](#) a “consolidated Chesapeake Bay and coastal sport boat license”), which when permanently affixed to a boat (other than a boat hired to take persons fishing) authorizes any person on the boat to fish under the license, provided the person registers with DNR.

Penalties for Fishing Without a License

Commercial

A person fishing commercially without a tidal fish license is guilty of a misdemeanor and subject to a fine of up to \$1,000, for a first offense, and a fine of up to \$2,000 and/or imprisonment for up to one year, for a second or subsequent offense (within two years of a prior violation). Pursuant to the District Court’s fine and penalty schedule for natural resources violations, a citation for fishing commercially without a tidal fish license allows for the person to pay a prepayable fine of \$650 to resolve the criminal violation if they do not wish to contest guilt. More substantial penalties can also apply.

Under DNR regulations, operating without a required commercial fishing license or authorization is a Tier VI violation. A person who receives a conviction for a Tier VI violation receives 30 points, which makes the person subject to a suspension of their entitlement to engage in a particular activity or activities under a tidal fish license for up to one year.

Recreational

A person fishing recreationally without an angler’s or Chesapeake Bay and coastal sport fishing license is guilty of a misdemeanor and subject to a fine of up to \$1,000, for a first offense, and a fine of up to \$2,000 and/or imprisonment for up to one year, for a second or subsequent offense (within two years of a prior violation). Pursuant to the District Court’s fine and penalty schedule for natural resources violations, a citation for fishing recreationally without an angler’s or Chesapeake Bay and coastal sport fishing license, allows for a resident to pay a prepayable fine of \$75, and a nonresident to pay a prepayable fine of \$125, to resolve the criminal violation if they do not wish to contest guilt.

There is no suspension applicable to fishing recreationally without a license.

State Expenditures: General fund expenditures increase by at least \$121,279 in fiscal 2027, which accounts for a 30-day start-up delay from the bill’s June 1, 2026 effective date. This estimate reflects the cost for DNR to hire one administrator to process suspensions for individuals cited for fishing without a license under the bill. DNR expects

– based on the current suspensions it processes each year and the number of citations issued each year for fishing recreationally without a license (approximately 550 citations per year on average) – that the number of suspensions that need to be processed each year increases enough under the bill to require at least one additional administrator. The estimate also reflects costs to modify DNR’s licensing system (\$15,000) to allow individuals to apply for a new recreational license while under suspension, as required by the bill (the system currently prevents issuance of a new license to a person under suspension). The costs are assumed to be covered by general funds, due to limited availability of special funds for fisheries management. The estimate includes a salary, fringe benefits, one-time start-up costs, and ongoing operating expenses.

DNR indicates that it may also incur costs to provide an opportunity for a hearing to individuals whose fishing privileges are suspended under the bill, despite not being an explicit requirement of the bill. Each administrative hearing (held through the Office of Administrative Hearings) costs the department \$3,500 on average, paid for with a combination of general and special funds. Hearing costs are not included in this minimum estimate because it is not clear to what extent providing an opportunity for a hearing would be necessary in all cases, or to what extent individuals would choose to take the opportunity of a hearing to contest their suspension, particularly for first offenses, where a one-month suspension is imposed.

Position	1.0
Salary and Fringe Benefits	\$96,444
Licensing System Modification	15,000
Other Operating Expenses	<u>9,835</u>
Minimum FY 2027 State Expenditures	\$121,279

Future year minimum expenditures reflect a salary with annual increases and employee turnover as well as annual increases in ongoing operating expenses.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

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

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caw/lgc

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