

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 947

(Delegate Sample-Hughes, *et al.*)

Environment and Transportation

Education, Energy, and the Environment

Natural Resources - Invasive Blue Catfish Pilot Program - Alterations

This emergency bill extends the termination date of Chapters 171 and 172 of 2025 – from June 30, 2026, to June 30, 2030 – extending the Invasive Blue Catfish Pilot Program (which includes multiple programs within it) established by the Department of Natural Resources (DNR) under Chapters 171 and 172. The bill also (1) adds to the pilot program a Blue Catfish Gill Net Program and (2) modifies a reporting requirement to require a report by December 1, 2026, and each December 1 thereafter, to the Senate Committee on Education, Energy, and the Environment and the House Environment and Transportation Committee on the activities of the pilot program during the immediately preceding year, including findings and recommendations under the program.

Fiscal Summary

State Effect: DNR can implement the bill with existing budgeted resources; the bill continues and establishes, in State law, existing and planned DNR pilot programs. Revenues are not affected.

Local Effect: None.

Small Business Effect: Potential meaningful.

Analysis

Current Law:

Chapters 171 and 172 of 2025

Chapters 171 and 172 – which terminate June 30, 2026 – require DNR, in coordination with the Invasive Catfish Advisory Committee, to establish the Invasive Blue Catfish Pilot Program to curb the spread of the invasive blue catfish in the Chesapeake Bay and its tributaries.

The pilot program consists of:

- the For-Hire/Commercial Blue Catfish Program, under which DNR may (1) authorize eligible participants to run for-hire and commercial fishing trips simultaneously and (2) make any regulatory or administrative changes it believes will increase the commercial harvest of blue catfish;
- the Mid- and Lower-Bay Blue Catfish Trotline Program, under which DNR (1) must authorize the use of finfish trotlines south of the Bay Bridge to the maximum extent feasible to harvest blue catfish, but (2) may restrict the areas south of the bridge where finfish trotlines may be used to harvest blue catfish based on potential bycatch, user conflicts, or other issues the department considers relevant; and
- any other program DNR determines to be effective in curbing the spread of blue catfish in the Chesapeake Bay and its tributaries.

In implementing the pilot program, DNR must consider, for the harvest of blue catfish, (1) authorizing the use of electrofishing; (2) authorizing the use of finfish trotlines of up to 2,400 feet in length; (3) eliminating any limits on the number of hooks used on a finfish trotline; and (4) authorizing the use of hooks that are not corrodible.

DNR must (1) expand the use of practices determined to be effective under the pilot program throughout the duration of the program and (2) continue to implement and update the program until the termination date of Chapters 171 and 172.

DNR was required to [report](#) to the Governor and the General Assembly by December 1, 2025, on its findings and recommendations under the pilot program.

Commercial Harvest of Catfish

Catfish can be harvested by a holder of a tidal fish license (DNR's primary, limited entry commercial fishing license) that is authorized to harvest finfish. In addition, a

\$15 commercial blue and flathead catfish finfish trotline license authorizes the holder to catch for sale blue and flathead catfish in the tidal waters of the State using a finfish trotline (as defined in DNR regulations) without needing to hold a tidal fish license.

“Finfish Trotline” and “Gill Net”

Under DNR regulations (COMAR 08.02.25.01):

- “finfish trotline” means a length of rope or line, buoyed at both ends with one or more anchors, which is baited with hooks set at intervals for the purpose of catching finfish; and
- “gill net” means a net which (1) is maintained in a vertical position in the water with sinkers, floats, or stakes, or a combination of sinkers, floats, and stakes and (2) captures fish by means of a mesh too small to permit passage of the body of the fish or withdrawal of the head once the posterior margin of the gill covers has passed through the mesh.

Existing Authorized Use of Gill Nets

Authorized use of gill nets for commercial harvesting of finfish in the Chesapeake Bay and its tidal tributaries is limited, but includes, under DNR regulations (COMAR 08.02.05.02B and 08.02.15.07A and C), and subject to certain location restrictions, the authorized use by a tidal fish licensee of (1) drift gill nets (not secured or anchored to the bottom) with a stretched mesh size of 2-1/2 to 3-1/2 inches during the period between March 16 through December 31; (2) drift gill nets with a stretched mesh size of 3-1/8 to 3-1/2 inches, during the period between January 1 through March 15; and (3) for a tidal fish licensee participating in the striped bass gill net season, attended drift gill nets with a mesh size of 5 to 7 inches during the striped bass drift gill net season from December 1 through the last day of February.

Pilot Program Authority

DNR regulations (COMAR 08.02.01.10) authorize the department to conduct pilot programs, with the participation of tidal fish licensees, to demonstrate and evaluate new approaches to managing fisheries under the fishery management plans the department has adopted for various species, including catfish.

Regulations Governing the Use of Finfish Trotline Gear by Commercial Licensees

DNR regulations governing the use of finfish trotline gear by commercial licensees (COMAR 08.02.25.06F) establish that finfish trotlines may not (1) be set in the

Chesapeake Bay south of the Bay Bridge, including Pocomoke Sound and Tangier Sound, or (2) exceed 1,200 feet in length.

Apart from limitations applicable to “shortlines,” a type of finfish trotline that may only be used in the Atlantic Ocean, the regulations do not limit the number of hooks on a finfish trotline or the use of hooks that are not corrodible.

Small Business Effect: While DNR plans, even in the absence of the bill, to continue the existing pilot programs established under Chapters 171 and 172 (which terminate June 30, 2026), and to establish the gill net pilot program, the bill makes the programs a State law requirement (subject to the specific requirements and authorizations under the bill) through June 30, 2030. The bill may have a meaningful impact on small business harvesters that participate in and benefit from the pilot programs (or that benefit from more broadly implemented harvesting practices or opportunities that originate from the pilot programs) to the extent the bill increases the scope or duration of the pilot programs in comparison to the scope and duration of the programs in the absence of the bill.

Additional Information

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

Designated Cross File: SB 610 (Senator Mautz) - Education, Energy, and the Environment.

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

Fiscal Note History: First Reader - February 27, 2026
js/lgc Third Reader - March 26, 2026
Revised - Amendment(s) - March 26, 2026

Analysis by: Scott D. Kennedy

Direct Inquiries to:

(410) 946-5510

(301) 970-5510