

Article – Natural Resources
 Section ~~4-1201(g)~~ 4-1006.2
 Annotated Code of Maryland
 (2005 Replacement Volume and 2006 Supplement)

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

Article – Natural Resources

~~4-11A-05.~~

~~(a) (1) (i) The Department may lease, in the name of the State, tracts or parcels of land beneath the waters of the State to residents of the State for protecting, coving, bedding, or cultivating oysters or other shellfish, subject to the provisions of this [section] SUBTITLE.~~

~~(ii) THE DEPARTMENT MAY LEASE, IN THE NAME OF THE STATE, TRACTS OR PARCELS OF LAND BENEATH THE WATERS OF THE CHESAPEAKE BAY AND ITS TRIBUTARIES TO RESIDENTS OF THE STATE FOR OYSTER RESTORATION, SUBJECT TO THE PROVISIONS OF THIS SUBTITLE.~~

~~(iii) These submerged lands when leased shall be known as leased oyster bottoms.~~

~~(b) (1) The Department may not lease any of the submerged areas of the State within the jurisdictional boundaries of Dorchester, Kent, Queen Anne's, Somerset and Talbot counties for oyster RESTORATION OR cultivation. The Department also may not lease any of the submerged areas of the State in the tidewater tributaries of Charles County, except the Patuxent River, for oyster RESTORATION OR cultivation. This subsection does not affect any existing lease in Somerset County made prior to and effective on June 1, 1952; any lease in Dorchester County made prior to and effective on June 1, 1957; in Charles County made prior to and effective on July 1, 1968 and in Kent, Queen Anne's and Talbot counties made prior to July 1, 1973. This subsection also does not prevent any lessee from renewing, assigning, devising by will or prohibit the descendants of any lessee, his heirs, or next of kin, from inheriting rights by the operation of the laws of descent and distribution. If an existing lease does not provide for renewal, the Department may grant renewal when the lease terminates unless good cause to the contrary is shown. However, a person may not lease more acreage than now authorized by law regardless of the manner in which the lease or the rights under the lease are obtained.~~

~~(2) THE DEPARTMENT MAY LEASE A SUBMERGED AREA OF THE STATE FOR OYSTER RESTORATION ONLY;~~