

Approved May 27, 1988.

CHAPTER 634

(House Bill 95)

AN ACT concerning

Theft from Leased Oyster Bottoms - Penalties

FOR the purpose of requiring the Department of Natural Resources to cause request the local State's Attorney's office to bring a criminal action for theft against a person catching, destroying, or transferring oysters on an oyster bottom leased by another person; requiring authorizing the Department to revoke suspend certain licenses of a person convicted of theft of oysters from a leased oyster bottom; ~~and providing a mandatory minimum and discretionary maximum time before which the Department of Natural Resources may reissue certain licenses;~~ requiring the Department to provide certain notice and hearing requirements before suspending certain licenses; and generally relating to penalties for catching, destroying, or transferring oysters on oyster bottoms leased by another person.

BY repealing and reenacting, with amendments,

Article - Natural Resources
Section 4-1118 and 4-1201
Annotated Code of Maryland
(1983 Replacement Volume and 1987 Supplement)

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

Article - Natural Resources

4-1118.

(a) (1) A person, other than the lessee, may not willfully and without authority catch oysters on any leased oyster bottom, or willfully destroy or transfer oysters on this land in any manner.

(2) THE DEPARTMENT SHALL CAUSE REQUEST THE OFFICE OF THE LOCAL STATE'S ATTORNEY TO BRING A CRIMINAL ACTION UNDER ARTICLE 27, § 342 OF THE CODE AGAINST A PERSON FOUND TO BE IN VIOLATION OF THIS SUBSECTION.