

SENATE BILL 183

M2

8lr1204

By: **Senator Simonaire**

Introduced and read first time: January 17, 2018

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 6, 2018

CHAPTER _____

1 AN ACT concerning

2 **Natural Resources – Electronic Licensing – Recreational License Donation**
3 **Fund – Donations**

4 FOR the purpose of requiring the Department of Natural Resources to create an
5 opportunity for a person purchasing certain licenses and stamps in a certain manner
6 to make a voluntary monetary donation to the Recreational License Donation Fund;
7 requiring the Department to collect donations and deposit them into the Fund;
8 expanding the contents of the Fund to include donations made under this Act;
9 providing for the termination of this Act; and generally relating to electronic
10 licensing.

11 BY repealing and reenacting, with amendments,
12 Article – Natural Resources
13 Section 1–403 and 1–405(h)
14 Annotated Code of Maryland
15 (2012 Replacement Volume and 2017 Supplement)

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

18 **Article – Natural Resources**

19 1–403.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) Notwithstanding any other provision of this article, the Department may
2 develop and implement an electronic system for the sale and issuance of licenses, permits,
3 and registrations and the recording and releasing of security interests.

4 (b) The electronic system may include provisions for:

5 (1) Recording titling and registration data;

6 (2) Recording and releasing liens without the issuance of a security interest
7 filing; and

8 (3) Recording information relating to an application for a license, permit,
9 or registration.

10 (c) **(1) THE DEPARTMENT SHALL CREATE AN OPPORTUNITY FOR A
11 PERSON PURCHASING AN ANGLER'S LICENSE, A CHESAPEAKE BAY AND COASTAL
12 SPORT FISHING LICENSE, OR A HUNTING LICENSE AND ANY CORRESPONDING
13 STAMPS TO MAKE A VOLUNTARY MONETARY DONATION TO THE RECREATIONAL
14 LICENSE DONATION FUND AT THE TIME OF PURCHASE.**

15 **(2) THE DEPARTMENT SHALL COLLECT THE DONATIONS RECEIVED
16 UNDER PARAGRAPH (1) OF THIS SUBSECTION AND DEPOSIT THEM INTO THE
17 RECREATIONAL LICENSE DONATION FUND.**

18 **(3) THE DONATION OPPORTUNITY ESTABLISHED UNDER PARAGRAPH
19 (1) OF THIS SUBSECTION:**

20 **(I) SHALL BE MADE AVAILABLE ONLY TO A PERSON
21 PURCHASING DIRECTLY THROUGH THE ELECTRONIC SYSTEM; AND**

22 **(II) MAY NOT BE MADE AVAILABLE TO A PERSON PURCHASING
23 THROUGH AN AUTHORIZED VENDOR.**

24 **(D)** The Department shall develop the electronic system consistent with the
25 statewide information technology master plan developed under Title 3A, Subtitle 3 of the
26 State Finance and Procurement Article.

27 **[(d)] (E)** The Department may adopt regulations to:

28 (1) Implement the electronic system authorized under this section; and

29 (2) Determine the appropriate fee levels that may be charged by a vendor
30 and by the Department for the electronic transmission service.

1 (h) (1) In this subsection, "Fund" means the Recreational License Donation
2 Fund.

3 (2) There is a Recreational License Donation Fund.

4 (3) The purpose of the Fund is to provide recreational hunting and fishing
5 opportunities for Gold Star recipients, disabled veterans, disabled members of the armed
6 forces of the United States, and permanently disabled persons who require the use of a
7 wheelchair.

8 (4) The Secretary shall administer the Fund.

9 (5) (i) The Fund is a special, nonlapsing fund that is not subject to §
10 7-302 of the State Finance and Procurement Article.

11 (ii) The State Treasurer shall hold the Fund separately, and the
12 Comptroller shall account for the Fund.

13 (6) The Fund consists of:

14 (i) Revenue collected by the Department for the purchase and
15 donation of recreational hunting or fishing licenses or stamps under this section;

16 (ii) **DONATIONS COLLECTED BY THE DEPARTMENT UNDER §**
17 **1-403(C) OF THIS SUBTITLE;**

18 (iii) **(III)** Money appropriated in the State budget to the Fund; and

19 [(iii)] **(IV)** Any other money from any other source accepted for the
20 benefit of the Fund.

21 (7) The Fund may be used only for donated recreational hunting or fishing
22 licenses or stamps for use by Gold Star recipients, disabled veterans, disabled members of
23 the armed forces of the United States, or permanently disabled persons who require the
24 use of a wheelchair.

25 (8) (i) The State Treasurer shall invest the money of the Fund in the
26 same manner as other State money may be invested.

27 (ii) Any interest earnings of the Fund shall be credited to the
28 General Fund of the State.

29 (9) Expenditures from the Fund may be made only in accordance with the
30 State budget.

31 (10) Money expended from the Fund for donated recreational licenses or
32 stamps is supplemental to and is not intended to take the place of funding that otherwise

1 would be appropriated for recreational licenses or stamps for use by Gold Star recipients,
2 disabled veterans, disabled members of the armed forces of the United States, or
3 permanently disabled persons who require the use of a wheelchair.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
5 1, 2018. It shall remain effective until the taking effect of the termination provision
6 specified in Section 4 of Chapter 424 of the Acts of the General Assembly of 2016. If that
7 termination provision takes effect, this Act, with no further action required by the General
8 Assembly, shall be abrogated and of no further force and effect. This Act may not be
9 interpreted to have any effect on that termination provision.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.