

HOUSE BILL 494

M2, P1

5lr2422
CF SB 282

By: **Delegate Allen**

Introduced and read first time: January 20, 2025

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Recreational Equality for Service Members Act**

3 FOR the purpose of establishing rules of interpretation related to the uniformed services;
4 altering the rule of interpretation for “veteran”; altering the application of certain
5 provisions of law governing natural resources to apply to all uniformed services,
6 rather than only the armed forces; altering the circumstances under which licenses
7 for fishing in tidal waters do not lapse; authorizing active service members, veterans,
8 and vehicles of which an active service member or veteran is an occupant to enter a
9 State park without paying a certain fee; and generally relating to service members
10 and veterans.

11 BY adding to
12 Article – General Provisions
13 Section 1–101.1, 1–101.2, 1–103.1, 1–114.1, 1–114.2, and 1–116
14 Annotated Code of Maryland
15 (2019 Replacement Volume and 2024 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – General Provisions
18 Section 1–117
19 Annotated Code of Maryland
20 (2019 Replacement Volume and 2024 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article – Natural Resources
23 Section 1–106, 1–405(a), (b), and (d)(3) and (10), 4–217(b)(1), 4–705, and 4–745(c)(5)
24 and (e)(1)
25 Annotated Code of Maryland
26 (2023 Replacement Volume and 2024 Supplement)

27 BY repealing and reenacting, without amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Natural Resources
Section 1–405(c) and (d)(1) and (2) and 4–745(e)(2) and (3)
Annotated Code of Maryland
(2023 Replacement Volume and 2024 Supplement)

BY adding to
Article – Natural Resources
Section 5–1014 and 5–1015
Annotated Code of Maryland
(2023 Replacement Volume and 2024 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–901
Annotated Code of Maryland
(2021 Replacement Volume and 2024 Supplement)

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

Article – General Provisions

1–101.1.

“ACTIVE DUTY” HAS THE MEANING STATED IN § 9–901 OF THE STATE
GOVERNMENT ARTICLE.

1–101.2.

“ACTIVE SERVICE MEMBER” HAS THE MEANING STATED IN § 9–901 OF THE
STATE GOVERNMENT ARTICLE.

1–103.1.

“ARMED FORCES” HAS THE MEANING STATED IN § 9–901 OF THE STATE
GOVERNMENT ARTICLE.

1–114.1.

“RESERVE COMPONENT” HAS THE MEANING STATED IN § 9–901 OF THE STATE
GOVERNMENT ARTICLE.

1–114.2.

1 **“SERVICE MEMBER” HAS THE MEANING STATED IN § 9-901 OF THE STATE**
2 **GOVERNMENT ARTICLE.**

3 1-116.

4 **“UNIFORMED SERVICES” HAS THE MEANING STATED IN § 9-901 OF THE STATE**
5 **GOVERNMENT ARTICLE.**

6 1-117.

7 With respect to any State program of benefits, rights, or privileges applicable to a
8 veteran under this Code, “veteran” includes[, if the individual is eligible under 38 U.S.C. §
9 101, a member of the commissioned corps of:

10 (1) the Public Health Service; or

11 (2) the National Oceanic and Atmospheric Administration or its
12 predecessor, the Coast and Geodetic Survey] **AN INDIVIDUAL WHO MEETS THE**
13 **DEFINITION OF “VETERAN” UNDER § 9-901 OF THE STATE GOVERNMENT ARTICLE.**

14 **Article – Natural Resources**

15 1-106.

16 (a) In this article the following words have the meanings indicated.

17 **(B) “ACTIVE DUTY” HAS THE MEANING STATED IN § 9-901 OF THE STATE**
18 **GOVERNMENT ARTICLE.**

19 **(C) “ACTIVE SERVICE MEMBER” HAS THE MEANING STATED IN § 9-901 OF**
20 **THE STATE GOVERNMENT ARTICLE.**

21 **(D) “ARMED FORCES” HAS THE MEANING STATED IN § 9-901 OF THE STATE**
22 **GOVERNMENT ARTICLE.**

23 **[(b)] (E)** “Informational meeting” means a meeting, open to the public, at which
24 the applicant or the Department of Natural Resources presents information concerning a
25 permit or certificate application. An informational meeting is not a contested case hearing
26 nor an agency hearing under § 10-202(d) of the State Government Article.

27 **[(c)] (F)** “Public hearing” means a meeting, open to the public, at which the
28 Department of Natural Resources receives oral and written comments concerning a
29 decision to issue or deny a permit or certificate. A public hearing is not a contested case
30 hearing nor an agency hearing under § 10-202(d) of the State Government Article.

(G) “SERVICE MEMBER” HAS THE MEANING STATED IN § 9-901 OF THE STATE GOVERNMENT ARTICLE.

(H) “UNIFORMED SERVICES” HAS THE MEANING STATED IN § 9-901 OF THE STATE GOVERNMENT ARTICLE.

(I) “VETERAN” HAS THE MEANING STATED IN § 9-901 OF THE STATE GOVERNMENT ARTICLE.

1-405.

(a) (1) In this section the following words have the meanings indicated.

(2) “Eligible sponsor organization” means a nonprofit charitable organization that provides any of the following opportunities for Gold Star recipients, disabled veterans or other veterans who could benefit from one of the opportunities provided, disabled **SERVICE** members [of the armed forces of the United States] or other **SERVICE** members [of the armed forces of the United States] who could benefit from one of the opportunities provided, or permanently disabled persons who require the use of a wheelchair:

(i) Recreational hunting or fishing, including providing at no cost:

1. An angler’s license and trout stamps;
2. A Chesapeake Bay and coastal sport fishing license; or
3. A hunting license and any corresponding stamps;

(ii) Recreational water activities;

(iii) Other recreational outdoor activities;

(iv) Therapeutic outdoor activities; or

(v) Workforce training for green jobs, including outdoor agricultural jobs.

(3) “Gold Star recipient” means a recipient of the U.S. Department of Defense Gold Star for surviving spouses, parents, and next of kin of members of the armed forces [of the United States] who lost their lives in combat.

(b) (1) (i) Subject to subparagraph (ii) of this paragraph, the Chesapeake Bay Trust may use the Healing Hunting and Fishing Fund established under subsection (d) of this section to make grants to eligible sponsor organizations.

(ii) In awarding a grant to an eligible sponsor organization that provides opportunities that the eligible sponsor organization believes benefit veterans or **SERVICE** members [of the armed forces of the United States], the Chesapeake Bay Trust shall determine whether the opportunities provided by the eligible sponsor organization will, in fact, benefit veterans or **SERVICE** members [of the armed forces of the United States].

(2) A grant awarded under this subsection may be used only to pay capital, operational, or programming costs incurred by an eligible sponsor organization in providing any of the following opportunities:

(i) Recreational hunting or fishing, including providing at no cost:

1. An angler's license and trout stamps;
2. A Chesapeake Bay and coastal sport fishing license; or
3. A hunting license and any corresponding stamps;

(ii) Recreational water activities;

(iii) Other recreational outdoor activities;

(iv) Therapeutic outdoor activities; or

(v) Workforce training for green jobs, including outdoor agricultural jobs.

(c) The Department shall adopt regulations to implement this section, including regulations establishing eligibility requirements for applicants for grants to eligible sponsor organizations.

(d) (1) In this subsection, "Fund" means the Healing Hunting and Fishing Fund.

(2) There is a Healing Hunting and Fishing Fund.

(3) The purpose of the Fund is to provide any of the following opportunities for Gold Star recipients, disabled veterans or other veterans who could benefit from one of the opportunities, disabled **SERVICE** members [of the armed forces of the United States] or other **SERVICE** members [of the armed forces of the United States] who could benefit from one of the opportunities, and permanently disabled persons who require the use of a wheelchair:

(i) Recreational hunting or fishing, including providing at no cost:

1. An angler's license and trout stamps;

2. A Chesapeake Bay and coastal sport fishing license; or

3. A hunting license and any corresponding stamps;

(ii) Recreational water activities;

(iii) Other recreational outdoor activities;

(iv) Therapeutic outdoor activities; or

(v) Workforce training for green jobs, including outdoor agricultural jobs.

(10) Money expended from the Fund for grants to eligible sponsor organizations is supplemental to and is not intended to take the place of funding that otherwise would be appropriated for any of the opportunities specified under subsection (b)(2) of this section that are provided to Gold Star recipients, disabled veterans or other veterans who could benefit from one of the opportunities, disabled **SERVICE** members [of the armed forces of the United States] or other **SERVICE** members [of the armed forces of the United States] who could benefit from one of the opportunities, or permanently disabled persons who require the use of a wheelchair.

4–217.

(b) (1) The Department may issue an annual license exemption to a governmental entity or a nonprofit organization to:

(i) Take individuals with physical or mental disabilities who are [serving or have served in the armed forces of the United States] **VETERANS OR ACTIVE SERVICE MEMBERS** fishing in the tidal or nontidal waters of the State; or

(ii) Provide fishing clinics and instructional opportunities to:

1. Individuals who are [serving or have served in the armed forces of the United States] **VETERANS OR ACTIVE SERVICE MEMBERS**;

2. Individuals who are participating in a physical or mental wellness outdoor event;

3. Individuals who are participating in a special needs outdoor event;

4. Individuals who are acting under the authority of a scientific collection permit issued under § 4–212 of this subtitle; or

5. Residents of the State who are underserved with respect to fishing opportunities, as determined by the Department in regulation.

4–705.

(A) A license does not lapse if the licensee fails to renew or make bona fide use of [his] **THE** license because of [induction or enlistment into] **THE LICENSEE’S DEPLOYMENT IN** the [armed forces] **UNIFORMED SERVICES** or employment in essential war industries[, and the].

(B) **THE** licensee [applies] **SHALL INFORM THE DEPARTMENT BEFORE THE LICENSEE’S DEPLOYMENT AND APPLY** to the Department for the renewal of [his] **THE** license within [one] 1 year of the termination of hostilities or from the date of [his] **THE LICENSEE’S** release from **DEPLOYMENT IN** the [armed forces] **UNIFORMED SERVICES**.

(C) If a licensee cannot fish every net for which [he] **THE LICENSEE** was licensed at any time during a war emergency because of some condition arising out of a war, [he] **THE LICENSEE** may not be deprived of [his] **THE** right to a license for these nets thereafter.

4–745.

(c) A person may fish for finfish in the Chesapeake Bay or its tidal tributaries or in State waters of the Atlantic Ocean and coastal bays and their tributaries without a Chesapeake Bay and coastal sport fishing license if the person:

(5) Is a resident [serving in the armed forces of the United States] **WHO IS AN ACTIVE SERVICE MEMBER** while on leave in the State, during the resident’s leave period, if, while fishing, the resident possesses a copy of the resident’s official leave order;

(e) (1) In this subsection, “former prisoner of war” means a person who, while [serving in the active military, naval, or air service of the United States] **AN ACTIVE SERVICE MEMBER**, was forcibly detained or interned in the line of duty by an enemy government or its agents, or a hostile force, during a period of armed conflict.

(2) The Department may issue a lifetime complimentary Chesapeake Bay and coastal sport fishing license to any Maryland resident who certifies that the resident is:

(i) A former prisoner of war;

(ii) An American veteran who the U.S. Department of Veterans Affairs determines is unemployable; or

(iii) A 100% service connected disabled American veteran.

(3) The Department may issue a lifetime complimentary Chesapeake Bay and coastal sport fishing license to an out-of-state person:

(i) Who certifies that the person is:

1. A former prisoner of war;

2. An American veteran who the U.S. Department of Veterans Affairs determines is unemployable; or

3. A 100% service connected disabled American veteran; and

(ii) Whose state of residence extends similar privileges to former prisoners of war, American veterans who the U.S. Department of Veterans Affairs determines are unemployable, or 100% service connected disabled American veterans of this State.

5-1014.

(A) ON PRESENTATION OF VALID UNIFORMED SERVICES IDENTIFICATION BY AN ACTIVE SERVICE MEMBER:

(1) AN ACTIVE SERVICE MEMBER MAY ENTER A STATE PARK WITHOUT PAYING ANY DAY-USE ENTRY FEE THAT HAS BEEN ESTABLISHED; AND

(2) A VEHICLE OF WHICH AN ACTIVE SERVICE MEMBER IS AN OCCUPANT MAY ENTER A STATE PARK WITHOUT PAYING ANY PER-VEHICLE FEE THAT HAS BEEN ESTABLISHED.

(B) THIS SECTION DOES NOT EXEMPT AN ACTIVE SERVICE MEMBER OR OTHER INDIVIDUAL FROM PAYING OTHER FACILITY USE SERVICES FEES NOT DESCRIBED IN SUBSECTION (A) OF THIS SECTION.

5-1015.

(A) ON PRESENTATION OF A VALID VETERAN IDENTIFICATION CARD, A DRIVER'S LICENSE THAT INDICATES THE LICENSE HOLDER IS A VETERAN, OR ANY OTHER FORM OF IDENTIFICATION ACCEPTED BY THE DEPARTMENT THAT ESTABLISHES THE HOLDER'S VETERAN STATUS:

(1) A VETERAN MAY ENTER A STATE PARK WITHOUT PAYING ANY DAY-USE ENTRY FEE THAT HAS BEEN ESTABLISHED; AND

1 **(2) A VEHICLE OF WHICH A VETERAN IS AN OCCUPANT MAY ENTER A**
2 **STATE PARK WITHOUT PAYING ANY PER-VEHICLE FEE THAT HAS BEEN**
3 **ESTABLISHED.**

4 **(B) THIS SECTION DOES NOT EXEMPT A VETERAN OR OTHER INDIVIDUAL**
5 **FROM PAYING ANY OTHER FACILITY USE SERVICES FEES NOT DESCRIBED IN**
6 **SUBSECTION (A) OF THIS SECTION.**

7 **Article – State Government**

8 9–901.

9 (a) In this subtitle the following words have the meanings indicated.

10 **(B) “ACTIVE DUTY” HAS THE MEANING STATED IN 37 U.S.C. § 101.**

11 **(C) “ACTIVE SERVICE MEMBER” MEANS AN INDIVIDUAL WHO IS:**

12 **(1) AN ACTIVE DUTY MEMBER OF THE UNIFORMED SERVICES; OR**

13 **(2) SERVING IN A RESERVE COMPONENT OF THE UNIFORMED**
14 **SERVICES ON ACTIVE DUTY ORDERS.**

15 **(D) “ARMED FORCES” HAS THE MEANING STATED IN 10 U.S.C. § 101.**

16 **[(b)] (E) “Board” means the Board of Trustees of the Maryland Veterans Trust.**

17 **[(c)] (F) “Department” means the Department of Veterans and Military**
18 **Families.**

19 **(G) “MILITARY FAMILY” INCLUDES THE SPOUSE AND DEPENDENT**
20 **CHILDREN OF A SERVICE MEMBER OR VETERAN RELATED BY BLOOD, MARRIAGE, OR**
21 **ADOPTION.**

22 **(H) “RESERVE COMPONENT” HAS THE MEANING STATED IN 37 U.S.C. § 101.**

23 **[(d)] (I) “Secretary” means the Secretary of Veterans and Military Families.**

24 **(J) “SERVICE MEMBER” MEANS AN INDIVIDUAL WHO IS A MEMBER OF:**

25 **(1) THE UNIFORMED SERVICES; OR**

26 **(2) A RESERVE COMPONENT OF THE UNIFORMED SERVICES.**

1 ~~[(e)]~~ **(K)** “Trust” means the Maryland Veterans Trust.

2 **(L) “UNIFORMED SERVICES” HAS THE MEANING STATED IN 37 U.S.C. § 101.**

3 ~~[(f)]~~ **(M)** Except as otherwise provided in this subtitle, “veteran” [means an
4 individual who served on active duty in the armed forces of the United States, other than
5 for training, and was discharged or released under conditions other than dishonorable] **HAS**
6 **THE MEANING STATED IN 38 U.S.C. § 101.**

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2025.