



SPONSOR: Rep. Mulrooney & Sen. Ennis  
Reps. Brady, Gray; Sens. Sokola, Townsend

HOUSE OF REPRESENTATIVES  
148th GENERAL ASSEMBLY

HOUSE BILL NO. 401

AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO LICENSES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Three-fifths of all members elected to each house thereof concurring therein):

Section 1. Amend Subchapter I, Chapter 5, Title 7 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

Subchapter I. Hunting, Trapping and Fishing Licenses, Tags, and Stamps; Public Lands Use Fees.

Section 2. Amend § 504, Title 7 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 504. License fees for residents; additional ~~permits~~ tags.

(a) Residents shall pay to the Department or its duly authorized agents the following license fees:

(1) ~~\$25~~ \$39.50 for a general hunting license.

(2) ~~\$3.50~~ \$10 for a trapping license.

(3) \$8.50 for a general fishing license.

(4) \$40 for a boat fishing license for a boat 20 feet or less, \$50 for a boat fishing license for a boat greater than 20 feet.

(5) \$5.00 for a junior hunting license for a resident age 13 through 15 with the criteria for issuing the ~~permit~~ license established by the Department pursuant to § 103 of this title.

(6) \$100 for a fishing guide license and \$159.50 for a hunting guide license.

(b) ~~During any deer season the~~ The Department may issue an additional ~~permit~~ tag or tags to kill ~~a single~~ deer. The criteria for issuing ~~the permit~~ a tag or tags shall be established by the Department pursuant to § 103 of this title. The amount charged for each ~~permit~~ tag or set of tags shall be ~~\$10~~ \$20.

(c) Vessels for hire shall pay to the Department or its duly authorized agents the following license fees:

(1) \$150 for a charter boat, as defined in § 906(9) of this title, license; and

(2) \$300 for a head boat, as defined in § 906(36) of this title, license.

Section 3. Amend § 508, Title 7 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 508. License and tag fees for nonresidents.

(a) Nonresidents shall pay to the Department or its duly ~~constituted~~ authorized agents the following license fees:

(1) ~~\$130 or once agents can access online reciprocal fees the higher of the 2~~ \$199.50 for a general hunting license.

(2) ~~\$25~~ \$75 for a trapping license.

(3) \$20 for a general fishing license.

(4) \$12.50 for a 7-day fishing license (~~good~~ good for 7 consecutive days ~~from the date of issuance~~).

(5) ~~\$50 for a~~ \$75 for a 3-day small game hunting license good for 3 consecutive days ~~from the date of issue~~ and not valid for hunting deer or turkeys.

(6) ~~\$10 for an~~ \$20 for each additional ~~permit~~ tag to kill a single antlerless deer.

(7) ~~\$25~~ \$50 for a tag to kill a single antlered deer.

(8) ~~\$25~~ \$50 for a tag to kill a single quality buck.

(9) Vessels for hire shall pay to the Department or its duly authorized agents the following license fees:

a. \$300 for a charter boat, as defined in § 906(9) of this title, license; and

b. \$600 for a head boat, as defined in § 906(36) of this title, license.

(10) \$40 for a boat fishing license for a boat 20 feet or less, \$50 for a boat fishing license for a boat greater than 20 feet.

(11) ~~\$50 or once agents can access online reciprocal fees the higher of the 2~~ for a nonresident junior license for a junior hunting license for a nonresident age 13 through 15.

(12) \$300 for a fishing guide license and \$475 for a hunting guide license.

(b) The criteria for issuing a ~~permit~~ tag pursuant to this section shall be established by the Department pursuant to § 103 of this title.

Section 4. Amend § 511, Title 7 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 511. Licensing agents; bond requirement; service charge; regulations.

(a) The Department may authorize as many qualified persons as licensing agents as it deems necessary to effectuate the efficient distribution of the licenses, permits, tags, passes, and stamps authorized by subchapter I of this chapter.

(b) Licensing agents shall be required by the Department to give security by means of a bond in the penal sum of \$5,000, conditioned for the faithful performance of their duties and for the prompt and correct remittance to the Department of the moneys received from the sale of licenses, permits, tags, passes, and stamps.

(c) Licensing agents may add a service charge to the required fee for a license, permit, tag, pass, or stamp, provided the service charge does not exceed \$1.50 for a license, \$1.50 for a permit, \$1.50 for a tag, \$1.50 for a pass, or \$1.00 for a stamp. Such service charges, if imposed, shall be posted by the licensing agent and shall be clearly visible to prospective purchasers.

(d) Notwithstanding subsection (c) of this section, a licensing agent offering automated licensing may be authorized by the Department to add a service charge of up to \$4.00 to the required fee for a license, ~~permit or stamp.~~ License, ~~permit and stamp~~ applicants, prior to their purchase of licenses, ~~permits and/or stamps~~ through an automated system, shall be notified of the applicable service charge ~~or charges.~~

Section 5. Amend § 517, Title 7 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 517. Migratory waterfowl stamp.

(c) A stamp shall be issued to each hunting license applicant upon written request on the forms furnished by the Division and payment of a fee of ~~\$9.00~~ \$15, together with any Licensing Agent fees charged in accordance with this chapter.

Section 6. Amend § 521, Title 7 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 521. Public lands ~~blind site fee~~ use fees; blind site permit; conservation access pass.

(a) Whoever utilizes a blind site on public lands managed by the Division of Fish and Wildlife and included in the Division's lottery program for the purposes of hunting waterfowl or deer shall pay an annual blind site permit fee of \$20. This fee is hereby waived for hunters participating in Division of Fish and Wildlife designated youth hunting days.

(b) Notwithstanding paragraph (b)(1) of this section, a conservation access pass that serves as a permit is required for any registered motor vehicle as defined in Title 21 used to access public lands owned or managed by the Division of Fish and Wildlife for any, as determined by the Department, allowable activity. Such pass shall be displayed by the motor vehicle operator on or within said vehicle in a manner as specified by the Department. Such pass shall be assigned and limited to a single, specified registered motor vehicle, and may be transferred to another registered motor vehicle of same ownership for a fee of \$10.00 paid to the Department.

(1) A conservation access pass shall not be required to access:

a. The Michael Castle Trail and those associated direct access roads and parking areas designated by the Department within the C&D Canal Conservation Area.

b. Those fishing or boating access areas, educational facilities, or shooting range facilities designated by the Department.

c. Applicable lands leased from the Department, provided access is for the purpose for which such lands are leased.

d. Other areas designated by the Department.

(2) An annual conservation access pass shall be issued free of charge with resident and nonresident general hunting licenses, resident and nonresident hunting guide licenses, and nonresident 3-day small game hunting licenses.

(3) The following conservation access pass fees shall be paid to the Department or its duly authorized agents:

a. \$32.50 for a resident annual pass.

b. \$10 for a resident 3 day pass valid for 3 consecutive days.

c. \$65 for a nonresident annual pass.

d. \$20 for a nonresident 3 day pass valid for 3 consecutive days.

(c) All funds received from the purchase of conservation access passes shall be deposited and administered in accordance with §§ 105 and 107 of this title solely for wildlife-associated user access facilities and projects on and the management and maintenance of subject public lands.

Section 7. Amend § 529, Title 7 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 529. License fees.

A resident of Delaware shall pay to the Department a fee of ~~\$28.75~~ \$50 for a license under § 528 of this title. A nonresident of Delaware shall pay a fee of ~~\$287.50~~ \$475 for such a license.

Section 8. Amend § 543, Title 7 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 543. License fee; qualification of licensee; ~~nontransferability~~ nontransferability.

A fee of ~~\$11.50~~ \$17.50 shall be paid to the Department for a license under this subchapter which shall be issued only to citizens of the United States and which shall not be transferable.

Section 9. Amend § 566, Title 7 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 566. License to operate preserve; fee; term; renewal; regulations of Department.

112 The Department, upon payment to it of a fee of ~~\$25~~ \$39.50, may issue annual licenses, good for 1 calendar year,  
113 renewable annually in the discretion of the Department for a like period, upon payment of a like fee, to persons, clubs or  
114 associations, authorizing the holders thereof to carry on, pursuant to regulations issued by the Department in furtherance of  
115 the purposes of this subchapter, propagating, holding, raising, releasing and shooting of rabbits and game birds, such as but  
116 not limited to pheasant, grouse, quail and partridge, hereinafter sometimes referred to individually or collectively as game.

117 Section 10. Effective date. This Act takes effect on July 1, 2017.

#### SYNOPSIS

This Act generates revenues needed for statewide wildlife conservation and for public access facilities on and the management and maintenance of public wildlife areas owned or managed by the Division of Fish and Wildlife ("Division") by increasing fees for existing hunting and trapping licenses and by establishing a conservation access pass to be purchased by non-hunters for motor vehicles accessing these public lands. A conservation access pass would not be required to access certain such public lands to include the Michael Castle Trail portion of the C&D Canal Conservation Area, designated fishing or boating access areas, educational or shooting range facilities, and lands leased from the Division. Revenues generated by this Act would be leveraged by the Division to obtain federal grant funds at a ratio of \$1 of state funds to \$3 of federal funds, with current state wildlife program revenues insufficient to fully leverage available federal funds. The Act establishes a private license agent service charge for the sale of conservation access passes similar to previously established service charges for the sale of hunting and trapping licenses. Additional changes clarify inconsistent and update obsolete language, primarily involving terminology used for existing fee categories. Fee increases and the conservation access pass would be effective July 1, 2017.