

CHAPTER 183
FORMERLY
HOUSE BILL NO. 156

AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO LICENSES TO HUNT, TRAP, AND FISH.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 502, Title 7 of the Delaware Code by making deletions as shown by strikethrough and insertions as shown by underline as follows:

§ 502. Exceptions to requirements for license.

(a) Residents and nonresidents may fish if they are the operator of a vehicle with a surf fishing vehicle permit as long as the vehicle is located on a designated Delaware state park surf fishing beach without being licensed hereunder.

(b) Residents who own or live upon farms in this State containing 20 or more acres, and the members of their immediate families who reside on the farm, may hunt, fish and trap on the farm without being licensed hereunder.

(c) Residents under 13 years of age may hunt without a license in this State when accompanied by a person who is the lawful holder of a hunting license or has a lawful right to hunt.

(d) Any child under the age of 16 years may fish or take fish or crabs or clam from any of the waters under the jurisdiction of this State without being licensed hereunder. Residents 16 and older but not over 65 years of age must purchase a fishing license to fish or take fish, crabs or clams.

(e) Residents, 65 years of age or older, are exempted from the licensing requirements of this chapter.

(f) A member of the armed forces of the United States who is a patient in a military hospital may be issued a license exemption to hunt, trap and fish in this State without charge, upon receipt by the Department of a written statement signed by the applicant's commanding officer certifying the nature of the applicant's disability and place of station.

(g) Persons who are patients in any Veterans Administration facility in this State, or in any public hospital or sanitarium for the treatment of tuberculosis, or a patient in a rehabilitation hospital under the State Department of Health, provided such person carries identification which verifies his or her status as such a patient, shall not be required to purchase a fishing license. Forms shall be supplied to such persons when they apply for their licenses to be used for the identification purposes described in this subsection.

(h) ~~Residents living in this State for at least 1 year immediately prior to the date of application for a license~~ Persons who have been honorably discharged from the armed forces of the United States and certified by the Veterans Administration as having at least a 60% service-connected disability ~~are exempted from the licensing requirements of this chapter~~ may be issued a license exemption to hunt, trap, and fish in this State without charge, upon receipt by the Department of a written statement from the Veterans Administration certifying the person's honorable discharge and service-connected disability.

(i) Persons who are blind are exempted from the licensing requirements of this chapter.

(j) Any unarmed residents participating in an organized fox hunt are exempt from the licensing requirements of this chapter.

(k) Any resident is exempt from the fishing license requirements of this chapter while fishing in a fee fishing operation that is registered as same with the Department of Agriculture according to Chapter 4 of Title 3.

(l) Any resident who has served honorably for 90 or more consecutive days on active duty in the Armed Forces of the United States, including service as member of the Delaware National Guard, in military actions in Southwest Asia associated with Operation Iraqi Freedom or Operation Enduring Freedom may, for the first 12 months following the date the resident was honorably discharged or removed from active status, be issued a license to hunt and/or fish in this State without charge.

Approved August 1, 2019