

CHAPTER 318
FORMERLY
SENATE BILL NO. 198

AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO REGULATIONS AND PROHIBITIONS CONCERNING GAME AND FISH.

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

Section 1. Amend § 712, Title 7 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 712 Prohibition against Sunday hunting.

(a) On Sundays, no person shall hunt or pursue any game birds or game animals with any dog or any kind of implement which is capable of killing said game birds or game animals, except as provided in subsections (b), ~~and (c), (d) and (e)~~ of this section.

(b) This section shall not be applicable to trapping, training dogs, hunting red foxes with dogs, or participating in commercial game preserve operations in accordance with the provisions of § 572 of this title.

(c) This section shall not be applicable to deer hunting seasons ~~on the 5 individual Sundays that occur between the opening and closing dates of the October muzzleloader deer season, between the opening and closing dates in each of the November, December and January shotgun deer seasons, and the Sunday at the end of the November shotgun deer season, for such deer hunting seasons as may be established by the Department pursuant to § 103(a)(1) of this title and promulgated pursuant to the Administrative Procedures Act, Chapter 101 of Title 29.~~
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(d) Such Sunday deer hunting may occur on private lands at landowner discretion and on those public lands as may be so designated by and at the discretion of the applicable government agency, which shall inform the public of the location and times Sunday hunting is allowed on their respective public lands. Any government agency designating or changing the designation of such Sunday deer hunting on its public lands shall provide adequate opportunity for public comment prior to designating the location or times of such Sunday deer hunting. For the purposes of this section, "public lands" includes federal, state, county, municipal, or other government-owned lands.

(e) This section shall not be applicable to the harvesting of deer as permitted by the Department through its deer depredation programs.

Approved July 11, 2018