

CHAPTER 92
FORMERLY
HOUSE BILL NO. 25
AS AMENDED BY
SENATE AMENDMENT NO. 3

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

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

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

§ 796. Limitations on harvesting gray fox.

(a) It shall be unlawful to harvest gray fox except as otherwise provided in this chapter and directed gray fox harvest seasons shall not be established.

(b) Notwithstanding § 796(a) of this chapter, the collateral take of gray fox shall not be unlawful south of the Chesapeake and Delaware Canal during red fox harvest seasons that are established by the Department through regulation promulgated pursuant to Chapter 101, Administrative Procedures Act, of Title 29.

(c) The Department may at its discretion require tagging and reporting requirements through regulation promulgated pursuant to Chapter 101, Administrative Procedures Act, of Title 29.

(d) Notwithstanding any other provision of this title, the Department may issue a permit to a private landowner authorizing the landowner to manage gray foxes on his or her property, provided there is a wildlife management plan for the property, the wildlife management plan has been approved by the Department, and a reduction in the number of foxes was recommended by such plan. The permit shall specify the time during which, the means and methods by which, and the person or persons by whom the gray foxes may be killed or captured. The Department shall not charge a fee for the issuance of a permit under this section.

(e) Nothing in this chapter shall be construed to prevent the killing of a gray fox by the owner of poultry if such fox is in the act of attacking such poultry. Such person may kill such foxes within a reasonable time after the pursuit, killing, or carrying away of the poultry.

(f) Notwithstanding anything to the contrary contained in this chapter, it shall be lawful to possess, buy, and sell the hides of gray foxes which are legally taken in Delaware or in another state.

Approved July 15, 2015