

CHAPTER 143  
FORMERLY  
HOUSE BILL NO. 94

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 Subchapter IV, Chapter 5, Title 7 of the Delaware Code by making insertions as shown by underlining and deletions as shown by strike through as follows:

Subchapter IV. Taking ~~Game, Birds, Eggs or Fish~~ Protected Wildlife, Finfish and Shellfish  
for Scientific, Education or Propagating Purposes

Section 2. Amend § 555, Title 7 of the Delaware Code by making insertions as shown by underlining and deletions as shown by strike through as follows:

§ 555. Permit to collect ~~birds, game animals and fish~~ protected wildlife, finfish, shellfish or their nests or eggs for scientific, education or propagating purposes.

(a) ~~The Division of Fish and Wildlife may issue a permit, revocable at the discretion of the Director, to~~ No person or persons shall take, capture, have in possession or transport ~~wild birds, their nests or eggs, game animals, or fish~~ protected wildlife, finfish, shellfish, or their nests or eggs for scientific, education or propagating purposes ~~within this State except as authorized by a permit from the Director of the Division of Fish and Wildlife in accordance with existing laws and regulations.~~

(b) Permits issued under this section may establish any conditions and/or restrictions deemed ~~desirable~~ appropriate by the Division of Fish and Wildlife; every such permit shall expire on the last day of the calendar year in which it is issued. No wild birds, game animals or fish held in captivity under said permit shall be confined under inhumane or unsanitary conditions.

(c) ~~Each person receiving a permit under this section must file with the Division a report of that person's operations under the permit prior to its renewal date. Said report shall set forth the name and address of the permittee, the permit number, the number of birds, nests, eggs, game animals or fish taken thereunder along with a list of the species taken or otherwise acquired, disposition of the same, names and addresses of persons acquiring the same from the permittee, and number of each species on hand at the expiration of the permit~~ No protected wildlife, finfish, shellfish or their eggs held in captivity under said permit shall be confined under inhumane or unsanitary conditions.

(d) Each permit issued under this section shall expire on the date set forth in the permit, or on the last day of the calendar year in which it is issued if no date is set forth in the permit. Permits are revocable at the discretion of the Director of the Division of Fish and Wildlife.

(e) Each person receiving a permit under this section must file with the Division of Fish and Wildlife a report within 30 days after the expiration date of said permit.

(f) Whoever violates this section or any rule and regulation adopted pursuant to this section shall be guilty of a class C environmental misdemeanor for each offense.

Approved July 25, 2013