



LAWS OF DELAWARE
VOLUME 85
CHAPTER 414
153rd GENERAL ASSEMBLY
FORMERLY
HOUSE SUBSTITUTE NO. 1
FOR
HOUSE BILL NO. 412

AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HUNTING, TRAPPING, GAME ANIMALS, GAME BIRDS, DEER, AND PROTECTED WILDLIFE.

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

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

§ 501. Licenses.

(a) Every resident of this State, except as otherwise provided in this chapter, ~~shall~~ must obtain a general license before ~~hunting, trapping and/or fishing~~ hunting, trapping, fishing, clamming, or crabbing in this State; and every resident ~~required to obtain a hunting license~~ who was born after January 1, 1967, ~~shall have~~ must satisfactorily ~~completed~~ complete not less than 10 hours of approved instruction, ~~which includes but is not limited to,~~ including the safe and proficient use of hunting equipment, hunter responsibility, principles of wildlife management, wildlife identification and a hands-on live firing experience by a trained firearms instructor before such person makes application for a hunting license. Proof of completion of authorized hunter education courses of other states or Canadian provinces shall be accepted and deemed having met the instruction requirement.

(b) Commencing July 1, 1986, every resident, except as otherwise provided, ~~shall~~ must obtain a trapping license before trapping any animals regulated by this title. Every resident ~~required to obtain a trapping license~~ who was born after January 1, 1978, ~~shall have~~ must satisfactorily ~~completed~~ complete a course in trapping education approved by the Department before such person makes application for a trapping license.

§ 506. License requirements for nonresidents; use of license information.

(a) Every nonresident, except as otherwise provided in this chapter, ~~shall~~ must obtain a general license before hunting, trapping, fishing, clamming, or crabbing in this State. Every nonresident ~~required to obtain a hunting license~~ who was born after January 1, 1967, ~~shall have~~ must satisfactorily ~~completed~~ complete not less than 10 hours of instruction, which includes the safe and proficient use of hunting equipment, hunter responsibility, principles of wildlife management, wildlife identification, and, to the degree practical, a live firing experience before such person makes application for a hunting license. This instruction is to be provided by personnel of the Department or its authorized agents. Proof of completion of authorized hunter education courses of other states or Canadian provinces shall be accepted and deemed having met the instruction requirement.

(b) Every nonresident ~~required to obtain a trapping license~~ who was born after January 1, 1978, ~~shall have~~ must satisfactorily ~~completed~~ complete a course in trapping education approved by the Department before such person makes application for a trapping license.

§ 556. ~~Use of fertility control on game birds and game animals.~~ drugs on protected wildlife.

(a) ~~No person or persons shall administer fertility control agents or immunocontraceptives to game birds or game animals except as authorized by a permit from the Director of the Division of Fish and Wildlife in accordance with existing laws and regulations. It is unlawful to administer any drug to protected wildlife without written authorization from the Director of the Division of Fish and Wildlife except in accordance with a permit issued under the provisions of this title or regulations adopted by the Department. This prohibition includes drugs used for fertility control, disease prevention or treatment, immobilization, or growth stimulation. Nothing in this section prohibits the treatment of sick or injured wild animals by licensed veterinarians or wildlife rehabilitators permitted by the Department. This section does not limit the Department, the United States, or Commercial Nuisance Wildlife Control Operators, as authorized by the Department, in the performance of their official duties related to public health, wildlife management, or wildlife removal. For the purposes of this section, the term "drug" means any chemical substance, other than food, that affects the structure or biological function of protected wildlife.~~

(b) Whoever violates this section shall be guilty of a class B environmental misdemeanor for each offense.

Section 2. Amend § 787, Title 7 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 787. Protection of deer; penalties.

(a) No person shall hunt, ~~chase~~ chase, or pursue with the intent to kill, trap, ~~take~~ take, or have in possession any deer (living or dead), except those deer legally taken during the open season and during lawful ~~hours in each county.~~ hours.

(b) All evidence including weapons, ammunition, lights, communication ~~systems and/or~~ systems, and instrumentalities including motor vehicles used in violation of subsection (a) of this section may be seized and retained as evidence, and forfeited according to procedures set forth in the Superior Court Criminal Rules. Wherever the State seeks to have property allegedly used in violation of subsection (a) of this section forfeited, the Superior Court shall have jurisdiction over both the violation of subsection (a) of this section and the issue of forfeiture.

(c) No person shall make use of dogs for the hunting or pursuing of deer with intent to kill said deer in this State at any time. However, dogs may be used for the sole purpose of tracking, or recovering a wounded or dead deer that was lawfully shot during an open deer season, subject to regulations adopted by the Department.

(d) No person shall purchase, sell or expose for sale, or transport, ship or possess with the intent to sell, any deer or any part of such deer, except for the hides of lawfully killed ~~deer~~ deer, completed taxidermy mounts, or antlers, at any time. Nothing in this paragraph ~~shall preclude~~ precludes the importation and consumption of venison, approved for sale by the United States Department of Agriculture, into this State.

Approved July 23, 2026