

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 958 (Senator Mautz)
Education, Energy, and the Environment

Agriculture - Catastrophic Damage Caused by Deer

This bill authorizes the Maryland Department of Agriculture (MDA) – if it determines that deer have caused catastrophic damage to a field – to authorize the use of extraordinary measures to reduce the deer population causing the catastrophic damage. The bill defines “catastrophic damage” as the loss of 50% or more of crops from a single field. MDA must adopt regulations to implement the bill; the regulations must require an individual authorized to use extraordinary measures to report to the department the number of deer harvested at each location of catastrophic damage.

Fiscal Summary

State Effect: General fund expenditures increase by \$117,700 in FY 2026. Future years reflect annualization and inflation. Revenues are not affected.

(in dollars)	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	117,700	91,800	95,800	100,100	104,400
Net Effect	(\$117,700)	(\$91,800)	(\$95,800)	(\$100,100)	(\$104,400)

Note: () = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: None.

Small Business Effect: Potential meaningful.

Analysis

Current Law:

Deer Management Permit

Maryland landowners or agricultural lessees who are experiencing severe economic loss to commercially grown crops (including row crops, truck crops, pasture, nursery stock,

orchards, and certain tree plantings) or significant ecological damage to certain native plant communities due to deer may apply to receive a deer management permit from the Department of Natural Resources (DNR). A deer management permit is issued after an investigation of the damage by DNR's Wildlife and Heritage Service (WHS) and a decision of what actions must be taken, if any, to reduce the deer population, considering the (1) nature, extent, and severity of damage; (2) type of damage; (3) time of year; and (4) deer population surveys and estimates. The permit must describe the hunting device to be used and the number and type of deer to be taken.

The permit allows permit holders or their agents, known as "designated shooters," to remove deer from the designated property outside the established deer hunting seasons and deer bag limits, subject to permit conditions imposed by DNR, including on any Sunday throughout the year. Both a permit holder and all designated shooters are required to carry a copy of the permit signed by both the permit holder and designated shooter while attempting to take a deer under the terms of the permit. A deer management permit is valid for a period not to exceed one year and is free.

Deer Cooperator License/Permit

WHS may also issue deer cooperator licenses that allow a licensee to conduct deer removal and handling operations. The agricultural deer cooperator license is valid only on agricultural lands actively farmed for commercial crops (a general deer cooperator license is valid on other lands). An applicant must pay a \$100 fee, and the license expires one year from the date it is issued. An applicant for a license must be the owner or lessee of the land, or their employee, and must meet certain requirements, including successful completion of a written examination and a shooting proficiency test. In addition to licensees, certified shooters may operate under a deer cooperator license to assist with operations if they meet certain requirements, including successful completion of a shooting proficiency test.

A licensee must submit an operational plan to WHS 45 days before an operation in order to be issued an agricultural deer cooperator operational permit to implement the plan. The operational plan must contain various, detailed information and approvals, including evidence of community support for the operation and a letter of authorization from the county office of law permitting the discharge of weapons at night.

State Expenditures: General fund expenditures for MDA increase by \$117,712 in fiscal 2026, which accounts for the bill's October 1, 2025 effective date. This estimate reflects the cost for MDA to hire one full-time agricultural resource conservation specialist to implement the bill's authorization, including (1) surveying deer damage to determine whether "catastrophic damage" has occurred; (2) determining what extraordinary measures should be authorized if catastrophic damage has occurred; (3) overseeing and monitoring the implementation of those measures; (4) serving as a point of contact for deer-related

inquiries from farmers; and (5) coordinating with WHS. The estimate assumes that (1) there are more than minimal occurrences of catastrophic damage and (2) MDA staff, in addition to authorizing extraordinary measures, conducts oversight of those measures. MDA anticipates working with at least 25 farmers per year and indicates that these activities cannot be absorbed by existing staff. The estimate includes a salary, fringe benefits, one-time start-up costs (including costs to purchase a vehicle), and ongoing operating expenses.

Position	1.0
Salary and Fringe Benefits	\$70,343
Vehicle Purchase	40,000
Operating Expenses	<u>7,369</u>
Total FY 2026 State Expenditures	\$117,712

Future year expenditures reflect a full salary with annual increases and employee turnover as well as annual increases in ongoing operating expenses.

As described above, this analysis assumes there are more than minimal occurrences of catastrophic damage (as indicated by MDA's expectation of working with at least 25 farmers per year). To the extent catastrophic damage, that is not otherwise managed under a deer management permit or deer cooperator license/permit, instead occurs relatively infrequently, MDA may be able to implement the bill with existing resources.

Small Business Effect: Small business farmers experiencing catastrophic damage to their crops may benefit from being able to use extraordinary measures to reduce the deer population causing the damage, to the extent those measures are more effective than those that are otherwise available under a deer management permit or deer cooperator license/permit issued by DNR.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: HB 1024 (Delegate Hutchinson, *et al.*) - Environment and Transportation.

Information Source(s): Maryland Association of Counties; Maryland Municipal League; Maryland Department of Agriculture; Department of Natural Resources; Department of Legislative Services

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