§ 11-1301. General provisions.

1. Except as specifically provided in this article or in article 13, or any regulation adopted pursuant thereto:

a. No fish, other than migratory food fish of the sea in the marine and coastal district, shall be taken except by angling.

b. Fish named by regulation adopted pursuant to section 11-1303 of this title shall be taken only during the open seasons specified in such order and only if they are within the minimum size limits established by such regulation.

* c. Except as otherwise prohibited by law, fish may be taken by spear or speargun in the marine and coastal district only for recreational purposes. A speargun must be submerged when used to take fish. Provided, however, that no food fish may be taken by spear or speargun within one hundred yards of a public bathing area.

* NB Repealed June 1, 2029

2. Except when taken pursuant to section 11-0515 or 11-0517 of this article, or when taken in nets as provided by title 15 or article 13, fish named by regulation adopted pursuant to section 11-1303 of this title shall not be taken in excess of the daily or seasonal catch limits established by such regulation.

3. Fish shall not be taken contrary to the restrictions contained in any regulation of the department, made pursuant to any provision of the Fish and Wildlife Law, closing waters to the taking of fish, or restricting the use of nets or other devices, or fixing seasons, size limits or daily or seasonal catch limits, or otherwise restricting the taking of fish.

4. Fish unintentionally taken contrary to any provision of the Fish and Wildlife Law or regulation of the department shall be returned to the water at once without unnecessary injury.

5. Notwithstanding any inconsistent provision of the Fish and Wildlife

Law, the department may adopt regulations for catch and release fishing in all waters of the state.