

HOUSE BILL 940

L1

11r2664
CF SB 839

By: **Delegates Huckler, Barkley, Barve, Feldman, Frick, Frush, Gilchrist, Impallaria, Jameson, Kach, A. Kelly, K. Kelly, McComas, A. Miller, Olszewski, Reznik, S. Robinson, and Waldstreicher**

Introduced and read first time: February 11, 2011

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 16, 2011

CHAPTER _____

1 AN ACT concerning

2 **Counties – Kennel Licenses – Requirements for Breeders**

3 FOR the purpose of requiring a certain person to obtain a kennel license under certain
4 circumstances; requiring each county to collect and maintain certain
5 information for each kennel license issued; requiring each county to report
6 certain information to the Department of Labor, Licensing, and Regulation on
7 or before a certain date each year; authorizing a county to establish additional
8 kennel license fees to cover certain costs; providing for the construction of this
9 Act; and generally relating to kennel license requirements.

10 BY repealing and reenacting, with amendments,
11 Article 24 – Political Subdivisions – Miscellaneous Provisions
12 Section 11–501(a)
13 Annotated Code of Maryland
14 (2005 Replacement Volume and 2010 Supplement)

15 BY adding to
16 Article 24 – Political Subdivisions – Miscellaneous Provisions
17 Section 11–501(a–1)
18 Annotated Code of Maryland
19 (2005 Replacement Volume and 2010 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article 24 – Political Subdivisions – Miscellaneous Provisions**

4 11–501.

5 (a) Except in Calvert County, Carroll County, Cecil County, Montgomery
6 County, Howard County, Talbot County, and Washington County, on or before the
7 first day of July of each year, the owner of any dog, six months old or over, shall apply
8 either orally or in writing, to the county treasurer or to the tax collecting officer in said
9 county for a license for each such dog owned or kept by him, and such application shall
10 be accompanied by a fee of one dollar (\$1.00) for each male dog or each spayed female
11 dog, and a fee of two dollars (\$2.00) for each unspayed female dog, and provided that
12 kennel license shall be issued for ten dollars (\$10.00) to persons owning or keeping not
13 in excess of twenty–five dogs and that a kennel license fee of twenty dollars (\$20.00)
14 shall be issued to persons keeping more than twenty–five dogs. [The] **EXCEPT AS**
15 **PROVIDED IN SUBSECTION (A–1) OF THIS SECTION, THE** said license or fee shall be
16 the only license or tax required for the ownership or keeping of said dog or dogs. Such
17 license shall be issued on a form prepared and supplied by the county commissioners.
18 Such license shall be dated and numbered, and shall contain a description of the dog
19 licensed. Except in Calvert County, Carroll County, Cecil County, Montgomery
20 County, Howard County, Talbot County, and Washington County, all licenses shall be
21 void upon the first day of July of the following year. The county commissioners shall
22 also furnish, and the county treasurer, or tax collecting officer issuing the license,
23 shall issue, with each license, a metal tag. Such tag shall be affixed to a substantial
24 collar. The collar shall be furnished by the owner, and with the tag attached shall at
25 all times be kept on the dog for which the license is issued, except when confined in
26 the kennel or when hunting in charge of an attendant.

27 **(A–1) (1) THIS SUBSECTION APPLIES IN ALL COUNTIES.**

28 **(2) NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS**
29 **SECTION, A PERSON SHALL OBTAIN A KENNEL LICENSE FROM THE LOCAL**
30 **LICENSING AGENCY IF THE PERSON:**

31 **(I) OWNS OR HAS CUSTODY OF ~~10~~ 15 OR MORE UNSPAID**
32 **FEMALE DOGS OVER THE AGE OF 6 MONTHS KEPT FOR THE PURPOSE OF**
33 **BREEDING THE DOGS AND SELLING THEIR OFFSPRING; AND**

34 **(II) ~~INTENDS TO BREED ANY OF THE DOGS AND SELL ANY~~**
35 **OFFSPRING SELLS DOGS FROM SIX OR MORE LITTERS IN A YEAR.**

36 **(3) EACH COUNTY SHALL COLLECT AND MAINTAIN A RECORD OF**
37 **THE FOLLOWING INFORMATION FOR EACH KENNEL LICENSE ISSUED IN THE**
38 **COUNTY:**

- 1 **(I) NAME OF THE LICENSEE;**
- 2 **(II) ADDRESS OF THE LICENSEE;**
- 3 **(III) NUMBER OF DOGS MAINTAINED BY THE LICENSEE; AND**
- 4 **(IV) NUMBER OF PUPPIES SOLD BY THE LICENSEE IN THE**
 5 **PRECEDING YEAR;~~AND~~**
- 6 **~~(V) SALES TAX IDENTIFICATION NUMBER OF THE LICENSEE,~~**
 7 **~~IF APPLICABLE.~~**

8 **(4) ON OR BEFORE JANUARY 15 OF EACH YEAR, EACH COUNTY**
 9 **SHALL REPORT TO THE DEPARTMENT OF LABOR, LICENSING, AND**
 10 **REGULATION THE INFORMATION COLLECTED UNDER PARAGRAPH (3) OF THIS**
 11 **SUBSECTION FOR THE PRECEDING YEAR.**

12 **(5) A COUNTY MAY ESTABLISH ADDITIONAL KENNEL LICENSE**
 13 **FEEES TO COVER THE COST OF COLLECTING, MAINTAINING, AND SUBMITTING**
 14 **THE RECORDS AND REPORTS REQUIRED BY PARAGRAPHS (3) AND (4) OF THIS**
 15 **SUBSECTION.**

16 **(6) THIS SECTION MAY NOT BE CONSTRUED TO PROHIBIT A**
 17 **COUNTY FROM ENACTING MORE STRINGENT KENNEL LICENSING ORDINANCES.**

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 19 October 1, 2011.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.