

HOUSE BILL 1473

E1, L1, L2

4lr2987
CF SB 1010

By: **Delegates Kach, Eckardt, Frush, McMillan, and Olszewski**

Introduced and read first time: February 21, 2014

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Domestic Animals – Sterilization and Life–Sustaining Care of Cats –**
3 **Determination of Dangerousness**

4 FOR the purpose of providing that a law prohibiting a person who owns, possesses, or
5 has custody of a domestic animal from dropping or leaving the animal on a road,
6 in a public place, or on private property with the intent to abandon the animal
7 does not apply to a person who is providing sterilization or life–sustaining care
8 to a certain cat that is not owned or lacks visible owner identification; providing
9 that a county or local government may not prohibit a person from providing
10 sterilization or life–sustaining care to a cat that is not owned or lacks visible
11 owner registration; providing that a county or local government may not
12 determine that a cat is a nuisance, potentially dangerous, or dangerous solely
13 on the grounds that the cat is not owned or lacks visible owner registration;
14 establishing that this Act does not limit a common law cause of action or
15 immunity; providing for the application of this Act; and generally relating to
16 domestic animals.

17 BY repealing and reenacting, with amendments,
18 Article – Criminal Law
19 Section 10–612
20 Annotated Code of Maryland
21 (2012 Replacement Volume and 2013 Supplement)

22 BY adding to
23 Article – Criminal Law
24 Section 10–624
25 Annotated Code of Maryland
26 (2012 Replacement Volume and 2013 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **Article – Criminal Law**

2 10–612.

3 **(A) THIS SECTION DOES NOT APPLY TO A PERSON WHO IS PROVIDING**
4 **STERILIZATION OR LIFE–SUSTAINING CARE TO A CAT THAT IS NOT OWNED OR**
5 **LACKS VISIBLE OWNER IDENTIFICATION.**

6 **[(a)] (B)** A person who owns, possesses, or has custody of a domestic animal
7 may not drop or leave the animal on a road, in a public place, or on private property
8 with the intent to abandon the animal.

9 **[(b)] (C)** A person who violates this section is guilty of a misdemeanor and
10 on conviction is subject to a fine not exceeding \$100.

11 **10–624.**12 **(A) A COUNTY OR LOCAL GOVERNMENT MAY NOT:**

13 **(1) PROHIBIT A PERSON FROM PROVIDING STERILIZATION OR**
14 **LIFE–SUSTAINING CARE TO A CAT THAT IS NOT OWNED OR LACKS VISIBLE**
15 **OWNER REGISTRATION; OR**

16 **(2) DETERMINE THAT A CAT IS A NUISANCE, POTENTIALLY**
17 **DANGEROUS, OR DANGEROUS SOLELY ON THE GROUNDS THAT THE CAT IS NOT**
18 **OWNED OR LACKS VISIBLE OWNER REGISTRATION.**

19 **(B) THIS SECTION DOES NOT LIMIT A COMMON LAW CAUSE OF ACTION**
20 **OR IMMUNITY.**

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
22 construed to apply retroactively and shall be applied to and interpreted to affect the
23 prosecution of any person for a violation of § 10–612 of the Criminal Law Article or a
24 county or local ordinance.

25 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2014.