

Chapter 186

(Senate Bill 660)

AN ACT concerning

Crimes Relating to Animals – Unauthorized Surgical Devocalization of Cat or Dog – Penalties

FOR the purpose of prohibiting a person from surgically ~~debarking or silencing~~ devocalizing a dog or cat; authorizing a certain veterinarian to surgically ~~debark or silence~~ devocalize a dog or cat under certain circumstances; defining a certain term; providing penalties for a violation of this Act; and generally relating to crimes relating to animals.

BY adding to

Article – Criminal Law

Section 10-624

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

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

Article – Criminal Law

10-624.

(A) (1) “DEVOCALIZE” MEANS TO PERFORM A SURGICAL PROCEDURE INVOLVING CUTTING, NOTCHING, PUNCHING, ABRADING, LASERING, SUTURING, OR OTHERWISE PHYSICALLY ALTERING THE VOCAL APPARATUS OF A DOG OR CAT WITH THE INTENT OF ALTERING, REDUCING, OR ELIMINATING VOCAL SOUNDS PRODUCED BY THE ANIMAL.

(2) “DEVOCALIZE” INCLUDES DEBARKING, DEVOICING, SILENCING, VENTRICULOCORDECTOMY, VOCAL CORDECTOMY, BARK REDUCTION, AND BARK SOFTENING.

(A) (B) EXCEPT AS PROVIDED IN SUBSECTION ~~(B)~~ (C) OF THIS SECTION, A PERSON MAY NOT SURGICALLY ~~DEBARK OR SILENCE~~ DEVOCALIZE A DOG OR CAT.

~~(B)~~ (C) A LICENSED VETERINARIAN MAY SURGICALLY ~~DEBARK OR SILENCE~~ DEVOCALIZE A DOG OR CAT ONLY IF:

(1) ANESTHESIA IS ADMINISTERED TO THE ANIMAL DURING THE PROCEDURE; AND

(2) THE VETERINARIAN PROVIDES THE OWNER OR KEEPER OF THE ANIMAL A WRITTEN CERTIFICATION THAT:

(I) STATES THAT THE PROCEDURE ON THE ANIMAL WAS MEDICALLY NECESSARY TO TREAT OR RELIEVE ~~AN~~ A PHYSICAL ILLNESS, A DISEASE, OR AN INJURY, OR TO CORRECT A CONGENITAL ABNORMALITY THAT IS CAUSING OR WILL CAUSE THE ANIMAL MEDICAL HARM OR PAIN; AND

(II) CONTAINS:

1. THE DATE AND DESCRIPTION OF THE VETERINARIAN'S EXAMINATION AND EVALUATION;

2. SUPPORTING DIAGNOSES AND FINDINGS;

3. THE NAME AND CURRENT ADDRESS AND TELEPHONE NUMBER OF THE ANIMAL'S OWNER OR KEEPER; AND

4. THE NAME AND CURRENT ADDRESS AND TELEPHONE NUMBER, STATE LICENSE NUMBER, AND SIGNATURE OF THE VETERINARIAN.

~~(c)~~ (d) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO:

(1) FOR A FIRST OFFENSE, IMPRISONMENT NOT EXCEEDING 90 DAYS OR A FINE NOT EXCEEDING \$1,000 OR BOTH; AND

(2) FOR A SECOND OR SUBSEQUENT OFFENSE, IMPRISONMENT NOT EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$2,000 OR BOTH.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2014.

Approved by the Governor, April 14, 2014.