

HOUSE BILL 46

M4, L6

6lr0952

(PRE-FILED)

By: **Delegate Chang**

Requested: October 23, 2015

Introduced and read first time: January 13, 2016

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Animal Control and Veterinary Facilities – Stray Dogs and Cats – Microchip**
3 **Scans**

4 FOR the purpose of requiring a certain animal control facility, veterinary office, or
5 veterinary hospital, within a certain time period of admitting a dog or cat with an
6 unknown owner, to scan the dog or cat for an implanted microchip, consult a certain
7 registry or database to obtain the owner's contact information, and make a
8 reasonable effort to notify the owner of the location of and procedure for claiming the
9 dog or cat; prohibiting a certain animal control unit from selling, placing, or
10 destroying a certain dog or cat until the animal has been scanned for an implanted
11 microchip; defining a certain term; and generally relating to identifying the owners
12 of stray dogs and cats admitted to animal control and veterinary facilities.

13 BY repealing and reenacting, without amendments,
14 Article – Agriculture
15 Section 2–305(a)
16 Annotated Code of Maryland
17 (2007 Replacement Volume and 2015 Supplement)

18 BY adding to
19 Article – Agriculture
20 Section 2–1701 and 2–1702 to be under the new subtitle “Subtitle 17. Stray Dogs and
21 Cats – Microchip Scans”
22 Annotated Code of Maryland
23 (2007 Replacement Volume and 2015 Supplement)

24 BY repealing and reenacting, without amendments,
25 Article – Criminal Law
26 Section 10–601(d)
27 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–617
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

Article – Agriculture

2–305.

(a) In this section, “animal control facility” means a humane society, as defined in § 10–601 of the Criminal Law Article, or a county or municipal designated animal shelter.

SUBTITLE 17. STRAY DOGS AND CATS – MICROCHIP SCANS.

2–1701.

IN THIS SUBTITLE, “ANIMAL CONTROL FACILITY” HAS THE MEANING STATED IN § 2–305 OF THIS TITLE.

2–1702.

WITHIN 48 HOURS OF ADMITTING A DOG OR CAT WITH AN UNKNOWN OWNER, AN ANIMAL CONTROL FACILITY, A VETERINARY OFFICE, OR A VETERINARY HOSPITAL SHALL:

(1) SCAN THE DOG OR CAT FOR AN IMPLANTED MICROCHIP; AND

(2) IF A MICROCHIP IS FOUND:

(I) CONSULT A MICROCHIP REGISTRY OR OTHER APPROPRIATE DATABASE TO OBTAIN THE OWNER’S CONTACT INFORMATION; AND

(II) MAKE A REASONABLE EFFORT TO NOTIFY THE OWNER OF THE LOCATION OF AND PROCEDURE FOR CLAIMING THE DOG OR CAT.

Article – Criminal Law

10–601.

1 (d) "Humane society" means a society or association incorporated in Maryland for
2 the prevention of cruelty to animals.

3 10-617.

4 (a) In this section, "animal control unit" means the local organization or
5 governmental unit that the appropriate local governmental body designates to house, care
6 for, and control domestic animals of unknown ownership.

7 (b) An animal control unit shall dispose of an unclaimed dog or cat only by:

8 (1) placing the animal in a suitable home;

9 (2) retaining the animal in the animal control unit; or

10 (3) humanely destroying the animal.

11 (c) **(1) [A] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A** domestic
12 animal that is impounded by an animal control unit may not be sold, placed, or destroyed
13 until the animal has been carefully inspected for a tag, tattoo, or other identification to
14 ascertain the owner and:

15 [(1)] **(I)** 72 hours have elapsed after notice has been given to the owner;

16 [(2)] **(II)** if the owner cannot be notified, 72 hours have elapsed after the
17 animal is impounded;

18 [(3)] **(III)** the animal is seriously diseased or severely injured; or

19 [(4)] **(IV)** the animal is under 3 months of age.

20 **(2) IN ADDITION TO THE REQUIREMENTS UNDER PARAGRAPH (1) OF**
21 **THIS SUBSECTION, A DOG OR CAT THAT IS IMPOUNDED BY AN ANIMAL CONTROL UNIT**
22 **MAY NOT BE SOLD, PLACED, OR DESTROYED UNTIL THE DOG OR CAT HAS BEEN**
23 **SCANNED FOR AN IMPLANTED MICROCHIP.**

24 (d) (1) An owner who retrieves an animal from an animal control unit shall
25 pay all fees, costs, and expenses incurred by the animal control unit.

26 (2) The necessary expenses for food and attention given to an animal under
27 this section may be collected from the owner, and the animal is not exempt from levy and
28 sale on execution of a judgment for the expenses.

29 (3) A new owner with whom an animal is placed under subsection (b)(1) of
30 this section may be charged an adoption fee.

1 (e) A person who violates this section is guilty of a misdemeanor and on conviction
2 is subject to a fine not exceeding \$500.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2016.