

HOUSE BILL 626

M4

7lr1390

By: **Delegates Gilchrist, Miele, Barkley, Bromwell, Buckel, Carr, Chang, Folden, Fraser-Hidalgo, Frush, Healey, Hettleman, Hornberger, Kaiser, Kipke, Kramer, Lam, Long, Luedtke, McComas, McMillan, Metzgar, Morhaim, Patterson, Robinson, Rose, Saab, Vogt, Waldstreicher, K. Young, and P. Young**

Introduced and read first time: January 30, 2017

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 28, 2017

CHAPTER _____

1 AN ACT concerning

2 **Agriculture – Animal Shelters – Standards of Care and Protocol Implementation**
3 **and Enforcement**

4 FOR the purpose of requiring an animal shelter to follow ~~a certain written veterinary care~~
5 ~~protocol for dogs and cats and~~ a certain written protocol for reclaiming animals;
6 requiring the Department of Agriculture, on or before a certain date, to adopt certain
7 minimum standards of care for dogs and cats in animal shelters; requiring an animal
8 shelter to follow certain minimum standards of care; requiring the Department to
9 adopt certain regulations on or before a certain date; and generally relating to animal
10 shelters.

11 BY renumbering

12 Article – Agriculture
13 Section 2–1705 to be Section 2–1707
14 Annotated Code of Maryland
15 (2016 Replacement Volume)

16 BY repealing and reenacting, without amendments,

17 Article – Agriculture
18 Section 2–1701
19 Annotated Code of Maryland

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 (2016 Replacement Volume)

2 BY repealing and reenacting, with amendments,
 3 Article – Agriculture
 4 Section ~~2–1703~~ and 2–1704
 5 Annotated Code of Maryland
 6 (2016 Replacement Volume)

7 BY adding to
 8 Article – Agriculture
 9 Section ~~2–1705~~ and 2–1706
 10 Annotated Code of Maryland
 11 (2016 Replacement Volume)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 13 That Section(s) 2–1705 of Article – Agriculture of the Annotated Code of Maryland be
 14 renumbered to be Section(s) 2–1707.

15 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
 16 as follows:

17 **Article – Agriculture**

18 2–1701.

19 In this subtitle, “animal shelter” means:

- 20 (1) A county or municipal animal control facility;
- 21 (2) An organization that contracts with a county or municipality for animal
 22 control; or
- 23 (3) An organization that shelters animals and has received a grant from
 24 the Spay/Neuter Fund under Subtitle 16 of this title during the previous year.

25 ~~2–1703.~~

26 ~~(a) On or before January 1, 2017, an animal shelter shall establish a written~~
 27 ~~veterinary care protocol for dogs and cats that is consistent with guidelines set forth in the~~
 28 ~~most recent Association of Shelter Veterinarians’ Guidelines for Standards of Care in~~
 29 ~~Animal Shelters with respect to:~~

- 30 ~~(1) Basic care;~~
- 31 ~~(2) Sanitation;~~
- 32 ~~(3) Population management;~~

1 ~~(4) Disease control and prevention;~~

2 ~~(5) Behavioral health and mental well-being; and~~

3 ~~(6) Euthanasia.~~

4 ~~(b) The written veterinary care protocol shall include:~~

5 ~~(1) Standards that are necessary to protect sheltered dogs' and cats' health,~~
6 ~~safety, and well-being; and~~

7 ~~(2) A plan for:~~

8 ~~(i) Quality of life enrichment;~~

9 ~~(ii) Veterinary care;~~

10 ~~(iii) Prevention and control of contagious and other diseases; and~~

11 ~~(iv) Any other health and environmental factors that materially~~
12 ~~affect sheltered dogs' and cats' health, safety, and well-being.~~

13 ~~(c) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN ANIMAL~~
14 ~~SHELTER SHALL FOLLOW ITS WRITTEN VETERINARY CARE PROTOCOL FOR DOGS~~
15 ~~AND CATS.~~

16 ~~(2) An animal shelter may disregard its written veterinary care protocol~~
17 ~~for a dog or cat that is deemed to be too vicious or dangerous to permit safe handling.~~

18 ~~(d) An animal shelter shall update its written veterinary care protocol as~~
19 ~~necessary to reasonably accommodate any subsequent updates to the Association of Shelter~~
20 ~~Veterinarians' Guidelines for Standards of Care in Animal Shelters.~~

21 ~~(e) On request, an animal shelter shall make its written veterinary care protocol~~
22 ~~available to the public and the Department.~~

23 2-1704.

24 (A) On or before January 1, 2017, an animal shelter shall establish and make
25 available to the public on the animal shelter's Web site or in a conspicuous location within
26 the animal shelter's facility:

27 (1) A written protocol for reclaiming animals from the animal shelter that
28 includes:

29 (i) The minimum holding period for stray animals;

1 (ii) The hours of operation during which an animal may be reclaimed
2 by the animal's owner or caregiver;

3 (iii) The fees associated with reclaiming an animal; and

4 (iv) Any identification or documentation that must be provided to the
5 animal shelter before an animal may be reclaimed; and

6 (2) An annual summary of intake and disposition data reported to the
7 Department in accordance with § 2-1602 of this title.

8 (B) AN ANIMAL SHELTER SHALL FOLLOW ITS WRITTEN PROTOCOL FOR
9 RECLAIMING ANIMALS.

10 **2-1705.**

11 (A) ON OR BEFORE JANUARY 1, 2018, THE DEPARTMENT SHALL ADOPT
12 MINIMUM STANDARDS OF CARE FOR DOGS AND CATS IN ANIMAL SHELTERS THAT
13 ARE CONSISTENT WITH:

14 (1) THE MOST RECENT ASSOCIATION OF SHELTER VETERINARIANS'
15 GUIDELINES FOR STANDARDS OF CARE IN ANIMAL SHELTERS; AND

16 (2) THE MOST RECENT GUIDELINES FOR STANDARDS OF CARE IN
17 ANIMAL SHELTERS PREPARED BY THE PROFESSIONAL ANIMAL WORKERS OF
18 MARYLAND.

19 (B) AN ANIMAL SHELTER SHALL FOLLOW THE MINIMUM STANDARDS OF
20 CARE ADOPTED BY THE DEPARTMENT.

21 **2-1706.**

22 ON OR BEFORE JANUARY 1, 2018, THE DEPARTMENT SHALL ADOPT
23 REGULATIONS TO ENFORCE THIS SUBTITLE.

24 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 June 1, 2017.