

# HOUSE BILL 1361

E1, M2

7lr3144

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By: **Delegates Glass, Cassilly, Hornberger, S. Howard, McConkey, McKay, Parrott, Reilly, and Saab**

Introduced and read first time: February 10, 2017

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Animal Cruelty – Hunting Exemptions**

3 FOR the purpose of establishing that certain prohibitions against animal cruelty do not  
4 apply to bow hunting in a certain manner; altering the exemption under certain  
5 circumstances for hunting from the prohibition against certain animal cruelty; and  
6 generally relating to hunting exemptions from the prohibition against animal  
7 cruelty.

8 BY repealing and reenacting, with amendments,

9 Article – Criminal Law

10 Section 10–603

11 Annotated Code of Maryland

12 (2012 Replacement Volume and 2016 Supplement)

13 BY repealing and reenacting, without amendments,

14 Article – Criminal Law

15 Section 10–604

16 Annotated Code of Maryland

17 (2012 Replacement Volume and 2016 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

19 That the Laws of Maryland read as follows:

20 **Article – Criminal Law**

21 10–603.

22 Sections 10–601 through 10–608 of this subtitle do not apply to:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) customary and normal veterinary and agricultural husbandry practices  
2 including dehorning, castration, tail docking, and limit feeding;

3 (2) research conducted in accordance with protocols approved by an animal  
4 care and use committee, as required under the federal Animal Welfare Act or the federal  
5 Health Research Extension Act;

6 (3) an activity that may cause unavoidable physical pain to an animal,  
7 including food processing, pest elimination, **AND** animal training, [and hunting,] if the  
8 person performing the activity uses the most humane method reasonably available; [or]

9 (4) (I) **HUNTING OTHER THAN BOW HUNTING, IF THE PERSON**  
10 **HUNTING USES THE MOST HUMANE METHOD REASONABLY AVAILABLE; OR**

11 (II) **BOW HUNTING IN A HUMANE MANNER; OR**

12 [(4)] (5) normal human activities in which the infliction of pain to an  
13 animal is purely incidental and unavoidable.

14 10-604.

15 (a) A person may not:

16 (1) overdrive or overload an animal;

17 (2) deprive an animal of necessary sustenance;

18 (3) inflict unnecessary suffering or pain on an animal;

19 (4) cause, procure, or authorize an act prohibited under item (1), (2), or (3)  
20 of this subsection; or

21 (5) if the person has charge or custody of an animal, as owner or otherwise,  
22 unnecessarily fail to provide the animal with nutritious food in sufficient quantity,  
23 necessary veterinary care, proper drink, air, space, shelter, or protection from the weather.

24 (b) (1) A person who violates this section is guilty of a misdemeanor and on  
25 conviction is subject to imprisonment not exceeding 90 days or a fine not exceeding \$1,000  
26 or both.

27 (2) As a condition of sentencing, the court may order a defendant convicted  
28 of violating this section to participate in and pay for psychological counseling.

29 (3) As a condition of probation, the court may prohibit a defendant from  
30 owning, possessing, or residing with an animal.

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2   October 1, 2017.