SENATE BILL 1038

E2, E1 8lr1532 CF HB 212

By: Senators Smith, Benson, Brochin, Cassilly, Guzzone, Madaleno, Manno, Muse, Ramirez, Ready, and Zucker

Introduced and read first time: February 5, 2018

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 16, 2018

CHAPTER _____

1 AN ACT concerning

2 Criminal Law - Animal Cruelty - Sentencing Conditions and Selling Ban

- 3 FOR the purpose of authorizing a court as a condition of sentencing to prohibit a defendant
- 4 convicted of certain crimes relating to cruelty against animals from owning,
- 5 possessing, or residing with an animal for a specified period of time, including the
- 6 life of the defendant; prohibiting a person convicted of certain crimes relating to
- 7 cruelty against animals from selling, offering for sale, or trading an animal, with a
- 8 certain exception: and generally relating to animal cruelty.
- 9 BY repealing and reenacting, with amendments,
- 10 Article Criminal Law
- 11 Section 10–606, 10–607, 10–607.1, and 10–608
- 12 Annotated Code of Maryland
- 13 (2012 Replacement Volume and 2017 Supplement)
- 14 BY adding to
- 15 Article Criminal Law
- 16 Section 10-608.1
- 17 Annotated Code of Maryland
- 18 (2012 Replacement Volume and 2017 Supplement)
- 19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 20 That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

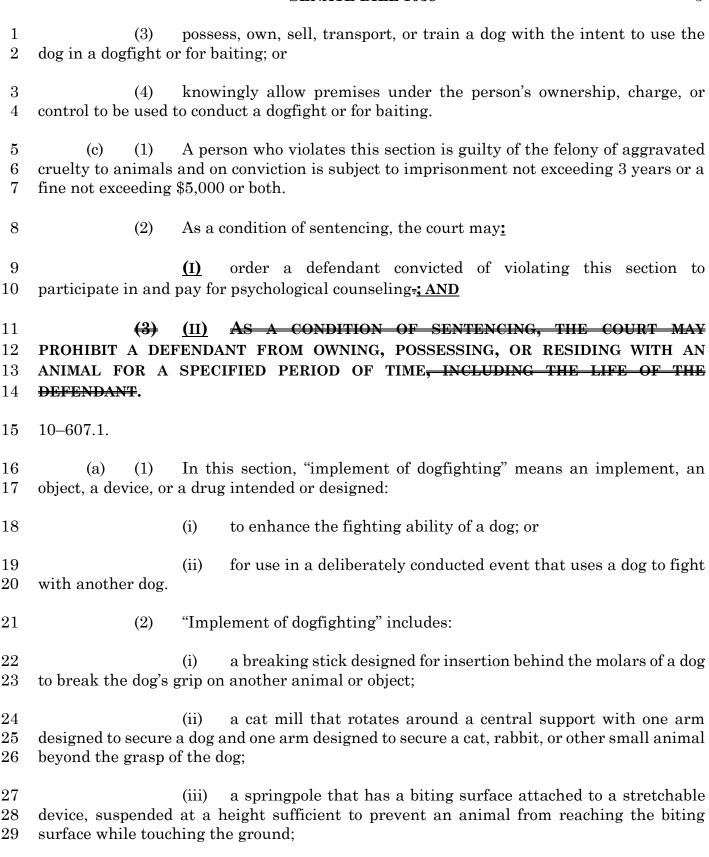
[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

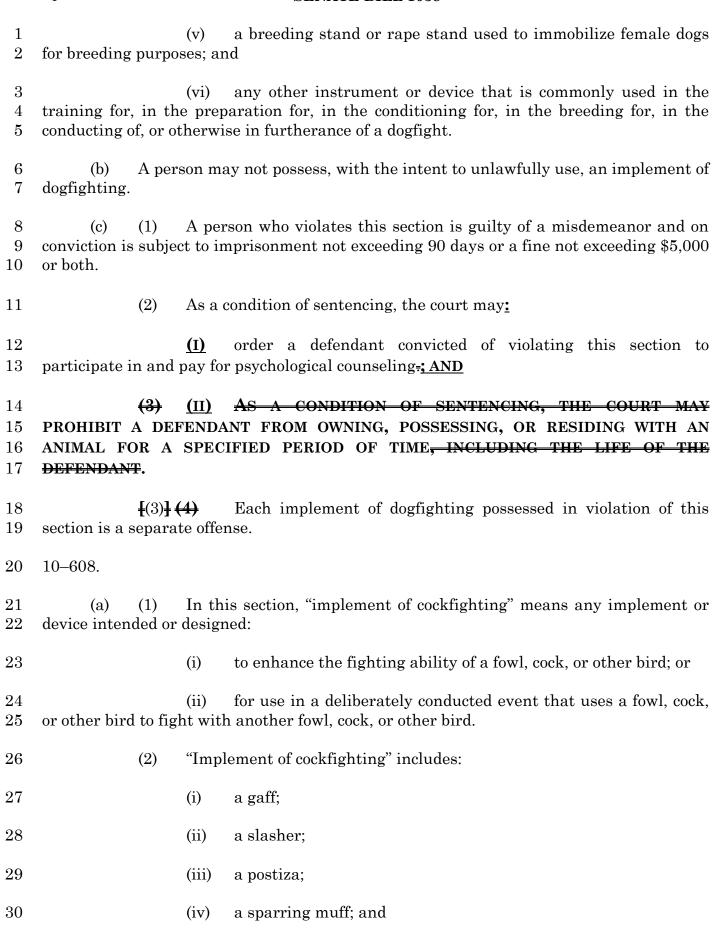
Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.

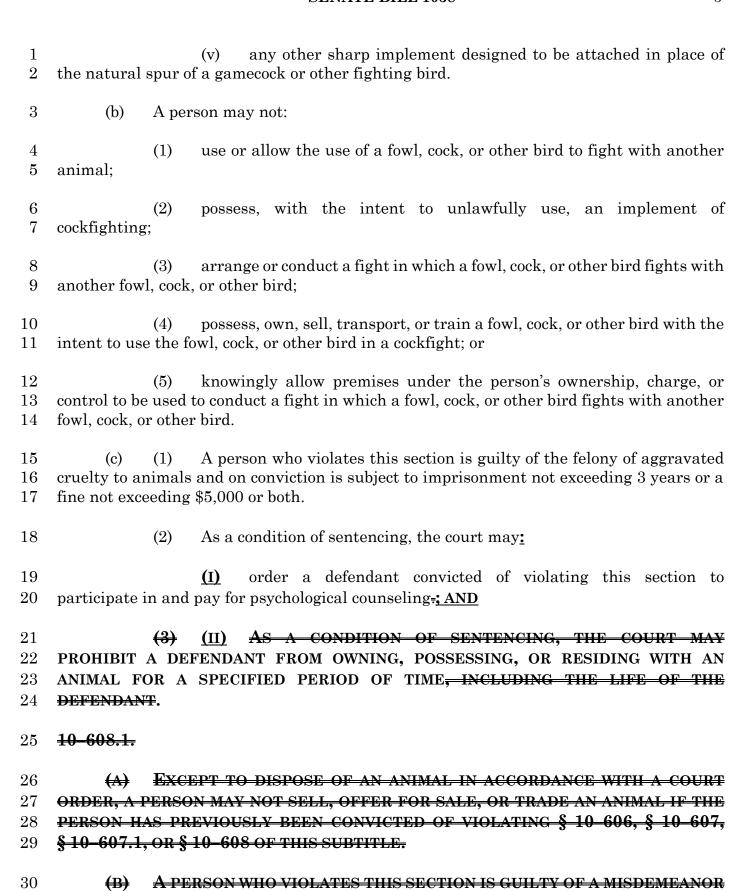


1 Article - Criminal Law 2 10-606. 3 (a) A person may not: 4 (1) intentionally: (i) 5 mutilate; 6 (ii) torture: 7 cruelly beat; or (iii) 8 (iv) cruelly kill an animal; 9 (2)cause, procure, or authorize an act prohibited under item (1) of this subsection; or 10 11 except in the case of self-defense, intentionally inflict bodily harm, permanent disability, or death on an animal owned or used by a law enforcement unit. 12 13 A person who violates this section is guilty of the felony of aggravated (b) (1)cruelty to animals and on conviction is subject to imprisonment not exceeding 3 years or a 14 15 fine not exceeding \$5,000 or both. 16 (2) As a condition of sentencing, the court may: 17 (I)order a defendant convicted of violating this section to 18 participate in and pay for psychological counseling : AND 19 (3)As a condition of [probation] SENTENCING, the court may 20 prohibit a defendant from owning, possessing, or residing with an animal FOR A SPECIFIED PERIOD OF TIME, INCLUDING THE LIFE OF THE DEFENDANT. 2122 10-607.23In this section, "baiting" means using a dog to train a fighting dog or to test 24the fighting or killing instinct of another dog. 25(b) A person may not: 26 (1) use or allow a dog to be used in a dogfight or for baiting; 27(2) arrange or conduct a dogfight;



30 (iv) a fighting pit or other confined area designed to contain a 31 dogfight;





AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 YEAR OR A

FINE NOT EXCEEDING \$2.500 OR BOTH.

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SECTIO October 1, 201)N 2. 8.	AND	BE	IΤ	FURTHER	ENACTED,	That	this	Act	shall	take	eff
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Approved:												
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		President of the Sena								te.		
			Speaker of the House of Delegates.									