

# SENATE BILL 56

M4

(9lr0105)

## ENROLLED BILL

— *Education, Health, and Environmental Affairs/Environment and Transportation* —

Introduced by **Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
President.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Secretary of Agriculture – Regulation of Poultry to Protect Animal Health and**  
3 **Control Avian Influenza**

4 FOR the purpose of authorizing the Secretary of Agriculture to provide an exemption from  
5 a certain annual licensing requirement to a certain live poultry market operator,  
6 production facility operator, or poultry dealer; altering the authority of the Secretary  
7 to adopt a certain animal health program; altering certain definitions; making  
8 stylistic changes; and generally relating to the regulation of poultry to protect animal  
9 health and to control avian influenza.

10 BY repealing and reenacting, with amendments,

11 Article – Agriculture

12 Section 3–801 through 3–803 to be under the amended subtitle “Subtitle 8.  
13 Regulation of Poultry to Protect Animal Health and Control Avian Influenza”

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#### 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.

*Italics indicate opposite chamber/conference committee amendments.*



1 Annotated Code of Maryland  
2 (2016 Replacement Volume and 2018 Supplement)

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

5 **Article – Agriculture**

6 Subtitle 8. Regulation of Poultry to **PROTECT ANIMAL HEALTH AND** Control Avian  
7 Influenza.

8 3–801.

9 (a) In this subtitle the following words have the meanings indicated.

10 (b) “Live poultry market” means any facility **OR LOCATION** where [live poultry  
11 is gathered to be slaughtered and sold on site] **POULTRY:**

12 **(1) IS OFFERED FOR SALE, SOLD, DISTRIBUTED, OR TRANSFERRED;**  
13 **OR**

14 **(2) IS SLAUGHTERED AND SOLD ON–SITE.**

15 (c) “Poultry” means any living domesticated bird ~~OR ITS HATCHING EGGS.~~

16 (d) “Poultry dealer” means a person who [is in the business of trading, selling,  
17 transporting, or moving poultry between a production facility and a live poultry market]  
18 **ENGAGES IN THE BUSINESS OF BUYING, SELLING, EXCHANGING, OR TRANSPORTING**  
19 **POULTRY BETWEEN A PRODUCTION FACILITY AND A LIVE POULTRY MARKET.**

20 (e) “Production facility” means the facility or farm that is the origin of poultry  
21 offered for sale at a live poultry market.

22 3–802.

23 (a) **[Each] EXCEPT AS PROVIDED BY THE SECRETARY, EACH** live poultry  
24 market operator, production facility operator, and poultry dealer shall obtain an annual  
25 license from the Secretary.

26 (b) Each license shall be effective until the following June 30, unless suspended  
27 or revoked.

28 3–803.

29 **(A)** In addition to [any of the powers provided in this article] **THE POWER** to  
30 protect the health of domestic animals **SET FORTH ELSEWHERE IN THIS ARTICLE, AND**

1 SUBJECT TO SUBTITLE 10 OF THIS TITLE, the Secretary [has the authority to] MAY  
2 adopt an animal health protection program that is applicable to any live poultry market,  
3 production facility, and poultry dealer [and].

4 (B) AN ANIMAL HEALTH PROTECTION PROGRAM ADOPTED BY THE  
5 SECRETARY UNDER SUBSECTION (A) OF THIS SECTION MAY INCLUDE A PROGRAM  
6 that meets the regulatory requirements of the United States Department of Agriculture’s  
7 Uniform Standards for the Prevention and Control of H5 and H7 Low Pathogenicity Avian  
8 Influenza in the live bird marketing system.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 October 1, 2019.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.