

HOUSE BILL 406

E1

0lr1862
CF 0lr2796

By: **Delegates Lehman, K. Young, Acevero, Bartlett, Cardin, Carr, Chang, Feldmark, Fraser-Hidalgo, Ivey, Kaiser, Kelly, Krebs, Krimm, R. Lewis, Lierman, Lisanti, Lopez, McIntosh, Palakovich Carr, Pena-Melnyk, Rose, Shoemaker, Solomon, Stein, Valderrama, and Valentino-Smith**

Introduced and read first time: January 23, 2020

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Crimes – Unattended Dogs in Extreme Weather Conditions**

3 FOR the purpose of prohibiting a person from leaving a dog outside and unattended for
4 longer than a certain period without access to certain suitable shelter during certain
5 extreme weather conditions; applying certain penalties; defining certain terms; and
6 generally relating to leaving unattended dogs outside.

7 BY repealing and reenacting, with amendments,
8 Article – Criminal Law
9 Section 10–623
10 Annotated Code of Maryland
11 (2012 Replacement Volume and 2019 Supplement)

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

14 **Article – Criminal Law**

15 10–623.

16 (a) (1) In this section the following words have the meanings indicated.

17 (2) “Collar” means a device constructed of nylon, leather, or similar
18 material specifically designed to be used around the neck of a dog.

19 (3) **“EXTREME WEATHER CONDITIONS” MEANS TEMPERATURES**
20 **BELOW 32 DEGREES FAHRENHEIT OR ABOVE 90 DEGREES FAHRENHEIT, OR DURING**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 AN ACTIVE WEATHER WARNING ISSUED BY THE NATIONAL WEATHER SERVICE.

2 [(3)] (4) "Restraint" means a chain, rope, tether, leash, cable, or other
3 device that attaches a dog to a stationary object or trolley system.

4 (5) (I) "SUITABLE SHELTER" MEANS A STRUCTURE THAT:

5 1. IS PROPERLY VENTILATED;

6 2. HAS A SOLID FLOOR THAT IS RAISED OFF THE GROUND
7 AT LEAST 2 INCHES;

8 3. HAS A WEATHERPROOF ROOF;

9 4. HAS FOUR WALLS, ONE OF WHICH CONTAINS A
10 DOORWAY;

11 5. HAS INSULATION OR HEATING SUFFICIENT TO ALLOW
12 A DOG TO MAINTAIN ITS NORMAL BODY TEMPERATURE; AND

13 6. IS SUITABLE FOR THE SPECIES, AGE, CONDITION,
14 SIZE, AND TYPE OF DOG.

15 (II) "SUITABLE SHELTER" DOES NOT INCLUDE:

16 1. A CRAWL SPACE THAT IS UNDER A BUILDING OR PART
17 OF A BUILDING;

18 2. THE SPACE UNDER A VEHICLE;

19 3. A FLOOR CONSISTING OF WIRE OR CHAIN LINK; OR

20 4. A STRUCTURE MADE FROM CARDBOARD OR OTHER
21 MATERIALS THAT ARE EASILY DEGRADED BY THE ELEMENTS.

22 (b) A person may not leave a dog outside and unattended by use of a restraint:

23 (1) that unreasonably limits the movement of the dog;

24 (2) that uses a collar that:

25 (i) is made primarily of metal; or

26 (ii) is not at least as large as the circumference of the dog's neck plus

1 1 inch;

2 (3) that restricts the access of the dog to suitable and sufficient clean water
3 or appropriate shelter;

4 (4) in unsafe or unsanitary conditions; or

5 (5) that causes injury to the dog.

6 (C) A PERSON MAY NOT LEAVE A DOG OUTSIDE AND UNATTENDED FOR
7 LONGER THAN 30 MINUTES WITHOUT ACCESS TO CONTINUOUS SUITABLE SHELTER
8 DURING EXTREME WEATHER CONDITIONS.

9 [(c)] (D) A person who violates this section is guilty of a misdemeanor and on
10 conviction is subject to imprisonment not exceeding 90 days or a fine not exceeding \$1,000
11 or both.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2020.