



# Montgomery County

## Office of Intergovernmental Relations

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**SB 872**

**DATE: March 5, 2024**

**SPONSOR: Senator Kramer**

**ASSIGNED TO: Judicial Proceedings**

**CONTACT PERSON: Sara Morningstar (Sara.Morningstar@montgomerycountymd.gov)**

**POSITION: SUPPORT (Montgomery County Office of Animal Services)**

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### **Criminal Law – Animal Abuse or Neglect – Penalties**

Senate Bill 872 would increase penalties for abusing or neglecting an animal resulting in the death of the animal or the need to euthanize the animal based on the recommendation of a licensed veterinarian. Penalties for this violation would include imprisonment for up to three years or a fine of up to \$5,000, or both. In the case of an animal abuse or neglect violation that does not result in the animal's death or the need to euthanize the animal, the recommendation of two licensed veterinarians would be needed to assess the violation, and penalties would include imprisonment for up to 90 days or a fine of up to \$1,000, or both. The bill also allows a court to prohibit a defendant from owning, possessing, or residing with an animal for a period of time determined by the court as a condition of sentencing. Montgomery County Department of Animal Services supports SB 872.

There are many cases around the State where animals have been found to lack nutritious food, proper hydration, adequate ventilation, sufficient space, and proper protection from the weather, or where there is an unnecessary failure to prevent pain and suffering to the extent that the animal dies or must be euthanized. Currently, because of the high threshold for proving "intent" under the aggravated cruelty section of the Criminal Law Article, the only practical legal option available when charging individuals with severe animal neglect is under § 10-604, where the penalties upon conviction are insufficient. The Montgomery County State's Attorney's Office has expressed frustration with these cases, given the severity of some animal neglect cases around the State.

Senate Bill 872 would provide more meaningful penalties for individuals convicted of animal abuse or neglect. The Montgomery County Office of Animal Services supports SB 872 and would urge the Committee to adopt a favorable report.