



Montgomery County

Office of Intergovernmental Relations

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SB 872

DATE: March 5, 2024

SPONSOR: Senator Kramer

ASSIGNED TO: Judicial Proceedings Committee

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POSITION: SUPPORT (Montgomery County Office of Animal Services)

Criminal Law – Animal Abuse or Neglect – Penalties

Senate Bill 872 increases the penalties for abusing or neglecting an animal under § 10-604 of the Criminal Law Article if the violation results in the death of an animal or the need to euthanize the animal based on the recommendation of a licensed veterinarian. The bill also allows a court to prohibit a defendant from owning, possessing, or residing with an animal as a condition of sentencing. Currently, § 10-604 violations are misdemeanor offenses and sentencing is limited to imprisonment up to 90 days and a fine of \$1,000.

This is important legislation. It strengthens animal control and a state's attorney's position when charging crimes under § 10-604, where the conditions and treatment of the animals are so detrimental to an animal's well-being that it directly causes the death or euthanasia of one or more of the animals. There are many cases around the State where this has occurred either because the animals are found to lack nutritious food, proper drink, proper air, proper space, proper protection from the weather, or where there is an unnecessary failure to prevent suffering or pain to the extent that the animal dies or must be euthanized.

The Montgomery County State's Attorney's Office has expressed some frustration over having to charge severe animal neglect using § 10-604 because they could not reach the level of "intent" needed to be charged under the aggravated cruelty sections particularly when that care directly contributes to the death of owned animals. Senate Bill 085 will provide a greater level of penalty – three years in prison and a fine of \$5,000 – including a more flexible ban on ownership in the prosecution of severe animal neglect and care found under § 10-604.

The Montgomery County Office of Animal Services supports Senate Bill 872 and would urge the Committee to adopt a favorable report.