
By: **Delegate Edwards**

Introduced and read first time: February 6, 2002

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law - Aggravated Animal Cruelty Associated with Domestic**
3 **Violence**

4 FOR the purpose of establishing the offense of aggravated animal cruelty associated
5 with domestic violence; providing that the crime is the intentional mutilation,
6 torture, cruel beating, or cruel death or authorizing the intentional mutilation,
7 torture, cruel beating, or cruel death of an animal owned by a certain person
8 who is eligible to seek relief from domestic violence or in the presence of a
9 certain person who is eligible to seek relief from domestic violence; establishing
10 certain penalties; altering a certain definition concerning abuse in a domestic
11 situation to include the intentional mutilation, torture, cruel beating, or cruel
12 death or authorizing the intentional mutilation, torture, cruel beating, or cruel
13 death of an animal owned by a certain person who is eligible to seek relief from
14 domestic violence or in the presence of a certain person who is eligible to seek
15 relief from domestic violence; and generally relating to aggravated animal
16 cruelty and domestic violence.

17 BY renumbering
18 Article - Criminal Law
19 Section 10-607 through 10-622, respectively
20 to be Section 10-608 through 10-623, respectively
21 Annotated Code of Maryland
22 (As enacted by Chapter ____ (H.B.11) of the Acts of the General Assembly of 2002)

23 BY adding to
24 Article - Criminal Law
25 Section 10-607
26 Annotated Code of Maryland
27 (As enacted by Chapter ____ (H.B. 11) of the Acts of the General Assembly of
28 2002)

29 BY repealing and reenacting, with amendments,
30 Article - Family Law
31 Section 4-501(b)

1 Annotated Code of Maryland
2 (1999 Replacement Volume and 2001 Supplement)

3 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
4 MARYLAND, That Section(s) 10-607 through 10-622, respectively, of Article -
5 Criminal Law of the Annotated Code of Maryland (as enacted by Chapter ____ (H.B.11)
6 of the Acts of the General Assembly of 2002) be renumbered to be Section(s) 10-608
7 through 10-623, respectively.

8 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
9 read as follows:

10 **Article - Criminal Law**

11 10-607.

12 (A) A PERSON MAY NOT, WITH RESPECT TO AN ANIMAL OWNED BY A PERSON
13 ELIGIBLE FOR RELIEF OR IN THE PRESENCE OF A PERSON ELIGIBLE FOR RELIEF
14 UNDER TITLE 4, SUBTITLE 5 OF THE FAMILY LAW ARTICLE:

15 (1) INTENTIONALLY MUTILATE, TORTURE, CRUELLY BEAT, OR CRUELLY
16 KILL THE ANIMAL; OR

17 (2) CAUSE, PROCURE, OR AUTHORIZE AN ACT PROHIBITED BY THIS
18 SECTION.

19 (B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF THE FELONY OF
20 AGGRAVATED CRUELTY TO ANIMALS ASSOCIATED WITH DOMESTIC VIOLENCE AND
21 ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 5 YEARS OR A FINE
22 NOT EXCEEDING \$7,000 OR BOTH.

23 (C) AS A CONDITION OF SENTENCING, THE COURT MAY ORDER A DEFENDANT
24 CONVICTED OF VIOLATING THIS SECTION TO PARTICIPATE IN AND PAY FOR
25 PSYCHOLOGICAL COUNSELING.

26 **Article - Family Law**

27 4-501.

28 (b) (1) "Abuse" means any of the following acts:

29 (i) an act that causes serious bodily harm;

30 (ii) an act that places a person eligible for relief in fear of imminent
31 serious bodily harm;

32 (iii) assault in any degree;

33 (iv) rape or sexual offense as defined by Article 27, §§ 462 through
34 464C of the Code or attempted rape or sexual offense in any degree; [or]

1 (v) false imprisonment; OR

2 (VI) A VIOLATION OF § 10-607 OF THE CRIMINAL LAW ARTICLE.

3 (2) If the person for whom relief is sought is a child, "abuse" may also
4 include abuse of a child, as defined in Title 5, Subtitle 7 of this article. Nothing in this
5 subtitle shall be construed to prohibit reasonable punishment, including reasonable
6 corporal punishment, in light of the age and condition of the child, from being
7 performed by a parent or stepparent of the child.

8 (3) If the person for whom relief is sought is a vulnerable adult, "abuse"
9 may also include abuse of a vulnerable adult, as defined in Title 14, Subtitle 1 of this
10 article.

11 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2002.