

**Department of Legislative Services**  
Maryland General Assembly  
2002 Session

**FISCAL NOTE**  
**Revised**

House Bill 32

(Delegates Frush and Clagett)

Environmental Matters

Education, Health, and Environmental Affairs

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**Veterinarians - Animal Cruelty - Reporting**

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This bill authorizes the State Board of Veterinary Medical Examiners (SBVME) to adopt regulations for standards of veterinary medical practice, including conduct and ethics. Also, SBVME must adopt regulations encouraging a veterinarian to report suspected instances of animal cruelty, including suspected animal fighting, to a local law enforcement or county animal control agency. The bill establishes civil immunity for veterinarians that report these instances to a law enforcement or county animal control agency in good faith.

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**Fiscal Summary**

**State Effect:** The bill's requirements could be handled within existing resources.

**Local Effect:** Local government finances and operations would not be significantly affected.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** SBVME is authorized to adopt regulations relating to oversight of the veterinary medical profession and may engage employees, issue subpoenas, and require production of evidence for examination during board investigations or hearings. There is no specific statutory authority to establish standards of practice, or conduct and ethics, for veterinary medical practice. The law does not require veterinarians to report suspected instances of animal cruelty or animal fighting, nor is there immunity from civil liability

for veterinarians who reported suspected instances of cruelty or fighting to local law enforcement or animal welfare agencies. The law does provide that licensed veterinarians are immune from civil liability that results from the actions of a licensed acupuncturist or the actions of a licensed health practitioner who is authorized by the SBVME to practice on an animal.

**Background:** According to the Humane Society of the United States, as of 2001, 23 states have enacted laws that either encourage or mandate veterinarians to report suspected acts of animal cruelty. Eleven of the 23 states establish civil immunity for veterinarians that report suspected acts of animal cruelty in good faith. Four states (Alabama, Arizona, New Jersey, and Oklahoma) include the reporting as part of the veterinarian standards of practice. In 2001 Illinois, Louisiana, and Maine passed legislation providing immunity from civil liability and criminal prosecution for veterinarians who report acts of animal cruelty. Currently, legislation similar to this bill is under consideration in 14 states.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Washington County, Montgomery County, Prince George's County, Kent County, Worcester County, Department of Agriculture, Department of Public Safety and Correctional Services, Humane Society of the United States, Department of Legislative Services

**Fiscal Note History:** First Reader - January 28, 2002  
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