
By: **Calvert County Delegation**
Introduced and read first time: February 5, 2004
Assigned to: Judiciary

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 16, 2004

CHAPTER _____

1 AN ACT concerning

2 **Calvert County - Giving Away Live Animals as a Prize or Inducement -**
3 **Prohibition**

4 FOR the purpose of prohibiting in Calvert County a person from giving away a live
5 animal as a prize, inducement, or incentive under certain circumstances;
6 establishing that this Act does not apply to a retail establishment that gives
7 away a live animal or to a person who, with the approval of the Secretary of
8 Agriculture, gives away a goldfish; providing for a penalty for a violation of this
9 Act; and generally relating to giving away live animals in Calvert County.

10 BY repealing and reenacting, with amendments,
11 Article - Criminal Law
12 Section 10-610
13 Annotated Code of Maryland
14 (2002 Volume and 2003 Supplement)

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

17 **Article - Criminal Law**

18 10-610.

19 (a) This section does not apply to a person giving away an animal:

20 (1) as an agricultural project;

21 (2) for conservation purposes; or

1 (3) that is intended for slaughter.

2 (b) Without the approval of the Secretary of Agriculture, a person may not give
3 away a live animal as:

4 (1) a prize for, or inducement to enter, a contest, game, or other
5 competition;

6 (2) an inducement to enter a place of amusement; or

7 (3) an incentive to make a business agreement if the offer is to attract
8 trade.

9 (c) (1) THIS SUBSECTION DOES NOT APPLY TO:

10 (I) A RETAIL ESTABLISHMENT THAT GIVES AWAY A LIVE ANIMAL;
11 OR

12 (II) A PERSON WHO, WITH THE APPROVAL OF THE SECRETARY OF
13 AGRICULTURE, GIVES AWAY A GOLDFISH.

14 (2) IN CALVERT COUNTY, A PERSON MAY NOT GIVE AWAY A LIVE ANIMAL
15 AS:

16 (1) A PRIZE FOR, OR INDUCEMENT TO ENTER, A CONTEST, GAME,
17 OR OTHER COMPETITION;

18 (2) AN INDUCEMENT TO ENTER A PLACE OF AMUSEMENT; OR

19 (3) AN INCENTIVE TO MAKE A BUSINESS AGREEMENT IF THE
20 OFFER IS TO ATTRACT TRADE.

21 (D) A person who violates this section is guilty of a misdemeanor and on
22 conviction is subject to a fine not exceeding \$500.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
24 effect October 1, 2004.