

SENATE BILL 171

Unofficial Copy  
E1

2004 Regular Session  
4r1109  
CF 4r1585

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By: **Senators Klausmeier, Hooper, Lawlah, Ruben, Stone, and Teitelbaum**  
Introduced and read first time: January 23, 2004  
Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2 **Crimes - Prohibition against Interfering with, Stealing, Injuring, or Killing**  
3 **Service Animals (Langer's Law)**

4 FOR the purpose of establishing the crime of recklessly interfering with the lawful  
5 use of a service animal, or stealing, injuring, or causing the death of a service  
6 animal; establishing the crime of intentionally injuring, killing, or allowing an  
7 animal that a certain person has under immediate control to injure or kill a  
8 service animal; defining certain terms; providing certain penalties; requiring a  
9 court to order restitution under certain circumstances; and generally relating to  
10 a prohibition against interfering with, stealing, injuring, or killing service  
11 animals.

12 BY adding to  
13 Article - Criminal Law  
14 Section 10-623  
15 Annotated Code of Maryland  
16 (2002 Volume and 2003 Supplement)

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

19 **Article - Criminal Law**

20 10-623.

21 (A) (1) IN THIS SECTION, "SERVICE ANIMAL" MEANS AN ANIMAL THAT IS  
22 TRAINED FOR THE PURPOSES OF ASSISTING OR ACCOMMODATING A DISABLED  
23 PERSON'S SENSORY, MENTAL, OR PHYSICAL DISABILITY.

24 (2) "SERVICE ANIMAL" INCLUDES A SERVICE DOG SUBJECT TO THE  
25 PROVISIONS OF ARTICLE 30, § 33 OF THE CODE.

26 (B) A PERSON MAY NOT RECKLESSLY:

27 (1) INTERFERE WITH THE LAWFUL USE OF A SERVICE ANIMAL; OR

1 (2) STEAL, INJURE, OR CAUSE THE DEATH OF A SERVICE ANIMAL.

2 (C) A PERSON MAY NOT INTENTIONALLY:

3 (1) INJURE OR KILL A SERVICE ANIMAL; OR

4 (2) ALLOW AN ANIMAL UNDER THE PERSON'S IMMEDIATE CONTROL TO  
5 INJURE OR KILL A SERVICE ANIMAL.

6 (D) A PERSON WHO VIOLATES SUBSECTION (B) OF THIS SECTION IS GUILTY OF  
7 A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT  
8 EXCEEDING 90 DAYS OR A FINE NOT EXCEEDING \$3,000 OR BOTH.

9 (E) A PERSON WHO VIOLATES SUBSECTION (C) OF THIS SECTION IS GUILTY OF  
10 A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT  
11 EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$6,000 OR BOTH.

12 (F) (1) IN THIS SUBSECTION, "RESTITUTION" INCLUDES:

13 (I) THE VALUE OF THE SERVICE ANIMAL;

14 (II) THE COST TO REPLACE, TRAIN, OR RETRAIN THE SERVICE  
15 ANIMAL;

16 (III) VETERINARY AND OTHER MEDICAL EXPENSES, INCLUDING  
17 BOARDING, INCURRED BY THE SERVICE ANIMAL'S USER OR OWNER ON BEHALF OF  
18 THE SERVICE ANIMAL; AND

19 (IV) LOST WAGES OR INCOME INCURRED BY THE SERVICE ANIMAL'S  
20 USER DURING THE PERIOD THE USER IS WITHOUT THE SERVICES OF THE SERVICE  
21 ANIMAL.

22 (2) IN ADDITION TO THE PENALTIES SET FORTH IN SUBSECTIONS (B)  
23 AND (C) OF THIS SECTION, THE COURT SHALL ORDER A PERSON WHO IS CONVICTED  
24 OF A VIOLATION OF THIS SECTION TO PAY RESTITUTION FOR ALL DAMAGES THAT  
25 ARISE OUT OF OR ARE RELATED TO THE VIOLATION, INCLUDING INCIDENTAL AND  
26 CONSEQUENTIAL DAMAGES, INCURRED BY THE SERVICE ANIMAL'S USER AND  
27 OWNER.

28 (3) TITLE 11, SUBTITLE 6 OF THE CRIMINAL PROCEDURE ARTICLE  
29 APPLIES TO AN ORDER OF RESTITUTION UNDER THIS SUBSECTION.

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