

(PRE-FILED)

By: **Chairman, Environmental Matters Committee (By Request -
Departmental - Agriculture)**

Requested: November 15, 2004

Introduced and read first time: January 12, 2005

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 8, 2005

CHAPTER _____

1 AN ACT concerning

2 **Agriculture - Animal Health - ~~Civil~~ Administrative Penalties**

3 FOR the purpose of authorizing the Secretary of Agriculture to impose ~~a civil~~ an
4 administrative penalty on any person who violates certain animal health
5 requirements relating to livestock and poultry; establishing the maximum
6 amount of a penalty that may be imposed under this Act; providing for the
7 disposition of certain penalties; requiring the Secretary to adopt certain
8 regulations; and generally relating to enforcement of certain animal health
9 requirements.

10 BY adding to
11 Article - Agriculture
12 Section 3-116
13 Annotated Code of Maryland
14 (1999 Replacement Volume and 2004 Supplement)

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

17 **Article - Agriculture**

18 3-116.

19 (A) IN LIEU OF OR IN ADDITION TO ANY PENALTY PROVIDED BY THIS
20 SUBTITLE, THE SECRETARY MAY IMPOSE ~~A~~ AN ADMINISTRATIVE PENALTY ~~OF NOT~~

1 ~~MORE THAN \$10,000 ON ANY PERSON WHO VIOLATES ANY PROVISION OF THIS~~
2 ~~SUBTITLE.~~

3 (B) THE PENALTY IMPOSED UNDER THIS SECTION MAY NOT EXCEED \$10,000.

4 (C) ALL PENALTIES COLLECTED BY THE SECRETARY UNDER THIS SECTION
5 SHALL BE PAID INTO THE GENERAL FUND OF THE STATE.

6 ~~(C)~~ (D) THE SECRETARY SHALL ADOPT REGULATIONS TO CARRY OUT
7 NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2005.