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M4

(51r0143)

ENROLLED BILL

-- *Environmental Matters/Education, Health, and Environmental Affairs* --; --

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

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Secretary of Agriculture - Animal Health - Reports**

3 FOR the purpose of requiring the Secretary of Agriculture to maintain certain animal
4 health reports in a ~~certain~~ manner that protects the identity of the animal
5 owner; providing for the application of this Act authorizing the disclosure of the
6 identity of the animal owner if the Secretary makes a certain determination;
7 requiring the Secretary to consult with the Secretary of Health and Mental
8 Hygiene in making a certain determination; and generally relating to the
9 responsibilities of the Secretary of Agriculture relating to animal health reports.

10 BY repealing and reenacting, with amendments,
11 Article - Agriculture
12 Section 3-101
13 Annotated Code of Maryland
14 (1999 Replacement Volume and 2004 Supplement)

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

3 **Article - Agriculture**

4 3-101.

5 (a) The Secretary shall protect the health of the domestic animals of the State
6 from all contagious or infectious diseases. For this purpose, the Secretary may:

7 (1) Adopt and enforce quarantine, sanitary, or other rules and
8 regulations he deems necessary;

9 (2) Make and prosecute diligent inquiries in the several counties to
10 ascertain the exact condition of the health of the livestock; and

11 (3) Notwithstanding § 3-102, prohibit the importation from another
12 state of any animal he has reason to believe is infected with or has been exposed to a
13 contagious or infectious disease and detain the animal at any place for inspection or
14 quarantine.

15 (b) The Secretary may establish, maintain, and enforce a quarantine order if
16 he determines it is urgent and necessary for the prompt performance of the provisions
17 provided in this section.

18 (c) The Secretary may adopt rules and regulations governing the importation
19 of domestic animals into the State from another state.

20 (D) (1) ~~EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE~~
21 ~~SECRETARY SHALL MAINTAIN ALL ANIMAL HEALTH DIAGNOSTIC OR ANALYTICAL~~
22 ~~REPORTS, OR REPORTS AND REPORTS FILED UNDER AN ANIMAL HEALTH PROGRAM~~
23 ~~ESTABLISHED BY THE SECRETARY, IN A MANNER THAT PROTECTS THE IDENTITY OF~~
24 ~~THE ANIMAL OWNER.~~

25 (2) ~~(I) THIS SUBSECTION DOES NOT APPLY TO A DISCLOSURE BY IF~~
26 ~~THE SECRETARY DETERMINES THAT THE DISCLOSURE IS NECESSARY TO PROTECT~~
27 ~~THE PUBLIC HEALTH OR PREVENT THE SPREAD OF AN INFECTIOUS OR CONTAGIOUS~~
28 ~~DISEASE, THE SECRETARY MAY DISCLOSE THE IDENTITY OF AN ANIMAL OWNER TO A~~
29 ~~PERSON IN INTEREST, AS DEFINED BY THE SECRETARY, OR TO A GOVERNMENTAL~~
30 ~~AGENCY PERFORMING ITS LAWFUL DUTIES IDENTIFYING INFORMATION.~~

31 ~~(II) IN DETERMINING WHETHER DISCLOSURE IS NECESSARY TO~~
32 ~~PROTECT THE PUBLIC HEALTH OR PREVENT THE SPREAD OF AN INFECTIOUS OR~~
33 ~~CONTAGIOUS DISEASE, THE SECRETARY SHALL CONSULT WITH THE SECRETARY OF~~
34 ~~HEALTH AND MENTAL HYGIENE WHERE THE SECRETARY DETERMINES THAT THE~~
35 ~~DISCLOSURE IS NECESSARY TO PROTECT THE PUBLIC HEALTH OR TO PREVENT THE~~
36 ~~SPREAD OF AN INFECTIOUS OR CONTAGIOUS DISEASE.~~

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

