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

Introduced and read first time: January 17, 2005

Assigned to: Environmental Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 8, 2005

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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 and generally relating to the responsibilities of the Secretary of Agriculture  
8 relating to animal health reports.

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

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

16 **Article - Agriculture**

17 3-101.

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

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

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

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

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

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

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

17           (2)     ~~THIS SUBSECTION DOES NOT APPLY TO A DISCLOSURE BY IF THE~~  
18 ~~SECRETARY DETERMINES THAT THE DISCLOSURE IS NECESSARY TO PROTECT THE~~  
19 ~~PUBLIC HEALTH OR PREVENT THE SPREAD OF AN INFECTIOUS OR CONTAGIOUS~~  
20 ~~DISEASE, THE SECRETARY MAY DISCLOSE THE IDENTITY OF AN ANIMAL OWNER TO A~~  
21 ~~PERSON IN INTEREST, AS DEFINED BY THE SECRETARY, OR TO A GOVERNMENTAL~~  
22 ~~AGENCY PERFORMING ITS LAWFUL DUTIES WHERE THE SECRETARY DETERMINES~~  
23 ~~THAT THE DISCLOSURE IS NECESSARY TO PROTECT THE PUBLIC HEALTH OR TO~~  
24 ~~PREVENT THE SPREAD OF AN INFECTIOUS OR CONTAGIOUS DISEASE.~~

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