
By: **Delegates King, Barkley, Dumais, Feldman, Gilleland, Healey, Kaiser,
Lee, Simmons, and Taylor**

Introduced and read first time: February 4, 2005

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

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

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

12 BY adding to

13 Article - Criminal Law

14 Section 10-623

15 Annotated Code of Maryland

16 (2002 Volume and 2004 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:

1 (1) ENGAGE IN CONDUCT THAT SUBSTANTIALLY INTERFERES WITH THE
2 LAWFUL USE OF A SERVICE ANIMAL; OR

3 (2) CREATE A SUBSTANTIAL RISK OF DEATH OR INJURY TO A SERVICE
4 ANIMAL.

5 (C) A PERSON MAY NOT INTENTIONALLY:

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

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

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

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

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

16 (I) THE VALUE OF THE SERVICE ANIMAL;

17 (II) THE COST TO REPLACE, TRAIN, OR RETRAIN THE SERVICE
18 ANIMAL;

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

22 (IV) LOST WAGES OR INCOME INCURRED BY THE SERVICE ANIMAL'S
23 USER DURING THE PERIOD THE USER IS WITHOUT THE SERVICES OF THE SERVICE
24 ANIMAL.

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

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

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