
By: **Senator Klausmeier**

Introduced and read first time: February 4, 2005

Assigned to: Judicial Proceedings

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 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 PURPOSE 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 (D)
23 AND (E) 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, 2005.