

**Department of Legislative Services**  
Maryland General Assembly  
2005 Session

**FISCAL AND POLICY NOTE**

Senate Bill 391 (Senators Mooney and Gladden)  
Judicial Proceedings

---

**Criminal Law - Intentional Infliction of Harm on Law Enforcement Animals -  
Repeal**

---

This bill repeals a provision that prohibits a person, except in the case of self defense, from intentionally inflicting bodily harm, permanent disability, or death on an animal owned or used by a law enforcement unit. As a result, the prohibition against intentionally inflicting cruelty on animals applies whether or not the animal is owned or used by a law enforcement unit.

---

**Fiscal Summary**

**State Effect:** The bill's provisions could be met with existing resources.

**Local Effect:** The bill's provisions could be met with existing resources.

**Small Business Effect:** None.

---

**Analysis**

**Current Law:** A person is prohibited from intentionally mutilating, torturing, cruelly beating, or cruelly killing an animal. A person is prohibited from causing, procuring, or authorizing that such an act be done. Except in the case of self-defense, a person may not intentionally inflict bodily harm, permanent disability, or death on an animal owned or used by a law enforcement unit.

A person who commits the prohibited acts is guilty of the felony of aggravated cruelty to animals and is subject to imprisonment of up to three years and/or a fine of up to \$5,000.

**Background:** The Department of Public Safety and Correctional Services advises that during fiscal 2004, there were three intakes for animal cruelty, each serving an average sentence of 36 months.

---

### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of State Police, Department of Public Safety and Correctional Services, Department of Legislative Services

**Fiscal Note History:** First Reader - March 10, 2005  
mam/jr

---

Analysis by: Karen D. Morgan

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510