
By: **Delegate Jennings**

Introduced and read first time: February 8, 2006

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Agriculture - Infectious and Contagious Diseases - Notice of Quarantine**

3 FOR the purpose of requiring the Secretary of Agriculture or a designee of the
4 Secretary to cause notice of a certain quarantine order to be posted on a property
5 in a certain manner; requiring a certain property owner to provide notice to
6 certain organizations and business entities that a certain quarantine order has
7 been issued; defining a certain term; and generally relating to quarantine orders
8 involving livestock and poultry diseases.

9 BY repealing and reenacting, with amendments,
10 Article - Agriculture
11 Section 3-101
12 Annotated Code of Maryland
13 (1999 Replacement Volume and 2005 Supplement)

14 BY adding to
15 Article - Agriculture
16 Section 3-101.1
17 Annotated Code of Maryland
18 (1999 Replacement Volume and 2005 Supplement)

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

21 **Article - Agriculture**

22 3-101.

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

25 (1) Adopt and enforce quarantine, sanitary, or other rules and
26 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) (1) IF THE SECRETARY ISSUES A QUARANTINE ORDER, THE SECRETARY
11 OR A DESIGNEE OF THE SECRETARY SHALL CAUSE A SUITABLE SIGN OR NOTICE TO
12 BE POSTED ON THE PREMISES ON WHICH THE QUARANTINED ANIMAL IS LOCATED
13 AND TO REMAIN POSTED FOR THE DURATION OF THE QUARANTINE IN A
14 CONSPICUOUS PLACE ON THE PREMISES.

15 (2) THE SIGN OR NOTICE SHALL DESIGNATE:

16 (I) THE LOCATION OF THE QUARANTINED ANIMAL;

17 (II) THE DISEASE OR DISEASES PRESENT ON THE PREMISES; AND

18 (III) THE TYPE AND NUMBER OF LIVESTOCK OR POULTRY
19 AFFECTED.

20 (D) The Secretary may adopt rules and regulations governing the importation
21 of domestic animals into the State from another state.

22 [(d)] (E) (1) Except as provided in SUBSECTION (C) OF THIS SECTION AND IN
23 paragraph (2) of this subsection, the Secretary shall maintain all animal health
24 diagnostic or analytical reports and reports filed under an animal health program
25 established by the Secretary in a manner that protects the identity of the animal
26 owner.

27 (2) (i) If the Secretary determines that the disclosure is necessary to
28 protect the public health or prevent the spread of an infectious or contagious disease,
29 the Secretary may disclose identifying information.

30 (ii) In determining whether disclosure is necessary to protect the
31 public health or prevent the spread of an infectious or contagious disease, the
32 Secretary shall consult with the Secretary of Health and Mental Hygiene.

33 3-101.1.

34 (A) IN THIS SECTION, "AFFECTED PROPERTY" MEANS THE PREMISES ON
35 WHICH DISEASED LIVESTOCK OR POULTRY IS LOCATED.

1 (B) IF A QUARANTINE ORDER HAS BEEN ISSUED, THE OWNER OF THE
2 AFFECTED PROPERTY SHALL PROVIDE TIMELY AND READABLE NOTICE OF THE
3 QUARANTINE ORDER TO ANY EMPLOYEE OR AGENT OF ANY AGRICULTURAL
4 ORGANIZATION OR BUSINESS ENTITY THAT MAY ENTER THE PROPERTY.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2006.