

HOUSE BILL 673

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71r2143

By: **Delegates McComas, Ali, Bartlett, Bronrott, Eckardt, George, Haddaway, Kullen, Lee, Schuler, Sossi, and Weldon**

Introduced and read first time: February 8, 2007

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Crimes - Leaving Dogs Outside and Unattended by Use of Restraints -**
3 **Penalties**

4 FOR the purpose of prohibiting a person from leaving a dog outside and unattended by
5 use of a certain restraint during certain time periods and under certain
6 circumstances; establishing penalties for a violation of this Act; defining certain
7 terms; and generally relating to the unattended restraint of dogs.

8 BY adding to

9 Article - Criminal Law

10 Section 10-623

11 Annotated Code of Maryland

12 (2002 Volume and 2006 Supplement)

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

15 **Article - Criminal Law**

16 **10-623.**

17 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**
18 **MEANINGS INDICATED.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) **“COLLAR” MEANS A DEVICE CONSTRUCTED OF NYLON,**
2 **LEATHER, OR SIMILAR MATERIAL SPECIFICALLY DESIGNED TO BE USED**
3 **AROUND THE NECK OF A DOG.**

4 (3) **“RESTRAINT” MEANS A CHAIN, ROPE, TETHER, LEASH, CABLE,**
5 **OR OTHER DEVICE THAT ATTACHES A DOG TO A STATIONARY OBJECT OR**
6 **TROLLEY SYSTEM.**

7 **(B) A PERSON MAY NOT LEAVE A DOG OUTSIDE AND UNATTENDED BY**
8 **USE OF A RESTRAINT:**

9 (1) **BETWEEN THE HOURS OF MIDNIGHT AND 6 A.M., UNLESS THE**
10 **PERSON HAS AN EXPRESS TEMPORARY WAIVER FROM THE LOCAL ANIMAL**
11 **CONTROL AUTHORITY;**

12 (2) **DURING PERIODS WHEN THE NATIONAL WEATHER SERVICE**
13 **HAS ISSUED A HEAT ADVISORY OR HURRICANE OR TROPICAL STORM WARNING**
14 **OR WHEN THE REAL OR EFFECTIVE TEMPERATURE IS BELOW 32 DEGREES**
15 **FAHRENHEIT;**

16 (3) **THAT UNREASONABLY LIMITS THE MOVEMENT OF THE DOG;**

17 (4) **THAT USES A COLLAR THAT:**

18 (I) **IS A PINCH-TYPE, PRONG-TYPE, OR CHOKE-TYPE**
19 **COLLAR;**

20 (II) **IS MADE PRIMARILY OF METAL;**

21 (III) **IS NOT AT LEAST AS LARGE AS THE CIRCUMFERENCE OF**
22 **THE DOG’S NECK PLUS 1 INCH; OR**

23 (IV) **DOES NOT ALLOW THE INSERTION OF TWO FINGERS**
24 **BETWEEN THE COLLAR AND THE NECK OF THE DOG;**

25 (5) **THAT IS LESS THAN FIVE TIMES THE LENGTH OF THE DOG, AS**
26 **MEASURED FROM THE TIP OF THE DOG’S NOSE TO THE BASE OF THE DOG’S TAIL**
27 **OR THAT IS LESS THAN 10 FEET LONG;**

1 **(6) THAT RESTRICTS THE ACCESS OF THE DOG TO SUITABLE AND**
2 **SUFFICIENT FOOD, CLEAN WATER, OR APPROPRIATE SHELTER;**

3 **(7) IN UNSAFE OR UNSANITARY CONDITIONS; OR**

4 **(8) THAT CAUSES INJURY TO THE DOG.**

5 **(C) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A**
6 **MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT**
7 **EXCEEDING 90 DAYS OR A FINE NOT EXCEEDING \$1,000 OR BOTH.**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2007.