

HOUSE BILL 1352

M4

71r0019

By: **Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)**

Introduced and read first time: March 2, 2007

Assigned to: Rules and Executive Nominations

Re-referred to: Environmental Matters, March 6, 2007

Committee Report: Favorable

House action: Adopted

Read second time: March 20, 2007

CHAPTER _____

1 AN ACT concerning

2 **Maryland Horse Industry Board – Rescue Stables**

3 FOR the purpose of altering certain definitions to authorize the Maryland Horse
4 Industry Board to license, impose fees, and inspect any person that operates a
5 certain rescue stable; and generally relating to the authority of the Maryland
6 Horse Industry Board to regulate rescue stables.

7 BY repealing and reenacting, with amendments,
8 Article – Agriculture
9 Section 2–701
10 Annotated Code of Maryland
11 (1999 Replacement Volume and 2006 Supplement)

12 BY repealing and reenacting, without amendments,
13 Article – Agriculture
14 Section 2–710 through 2–713 and 2–715
15 Annotated Code of Maryland
16 (1999 Replacement Volume and 2006 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article - Agriculture**

4 2-701.

5 (a) In this subtitle, the following words have the meanings indicated.

6 (b) "Board" means the Maryland Horse Industry Board.

7 (c) "Boarding stable" means an establishment that stables five or more
8 horses and receives compensation for these services.

9 (d) "Equine dealer [and], breeding **STABLES, OR RESCUE** stables" includes
10 an establishment in which five or more horses are sold **OR TRANSFERRED** each year.

11 (e) "Horse" includes horses and ponies.

12 (f) (1) "Horse riding and rental stables" means an establishment in
13 connection with which one or more horses are let for hire to be ridden or driven, either
14 with or without the furnishing of riding or driving instruction.

15 (2) "Horse riding and rental stables" includes:

16 (i) Boarding stables;

17 (ii) Equine dealer [and], breeding **STABLES, OR RESCUE**
18 stables; and

19 (iii) Sales barns.

20 (g) "Sales barns" includes an establishment where horses are sold.

21 2-710.

22 (a) Except as otherwise provided in this subtitle, a person may not engage in
23 the business of operating or maintaining any horse riding stable unless the person has
24 received a license and a certificate issued by the Board.

25 (b) This section does not apply to a holder of a livestock dealer's or livestock
26 market license issued under Title 3, Subtitle 3 of this article. However, a holder of a

1 livestock dealer's or livestock market license shall comply with the other provisions of
2 this subtitle.

3 2-711.

4 To apply for a license, an applicant shall:

5 (1) Submit an application to the Board on the form that it requires;
6 and

7 (2) Pay to the Board a nonrefundable inspection fee of \$25.

8 2-712.

9 (a) A license expires on the June 30 after its effective date, unless the license
10 is renewed for a 1-year term as provided in this section.

11 (b) Before his license expires, a licensee periodically may renew his license
12 for additional 1-year terms, if the licensee:

13 (1) Otherwise is entitled to be licensed;

14 (2) Pays to the Board a renewal fee of \$50; and

15 (3) Submits to the Board a renewal application on the form that it
16 requires.

17 2-713.

18 (a) Each horse riding stable licensed under this subtitle shall be inspected at
19 least every two years.

20 (b) Each licensee shall pay to the Board annually an inspection fee of \$25.

21 (c) If more than one inspection is necessary in any licensing period, the
22 licensee shall pay an additional inspection fee of \$25 for each inspection. If, after three
23 inspections, existing deficiencies have not been corrected by the licensee, the Board
24 shall bring formal charges against the licensee, and an administrative hearing shall be
25 held in order to determine if the license should be suspended or revoked for any of the
26 reasons listed in § 2-715 of this subtitle.

1 (d) An inspection shall be deemed necessary if, during a previous inspection,
2 deficiencies are found and the licensee has not submitted evidence to the Board within
3 a reasonable period of time that satisfactory corrective measures have been completed.

4 (e) Based on criteria it develops, the Board may create additional classes of
5 licenses, all of which shall have the usual annual fee under this subtitle.

6 2-715.

7 After a hearing, the Board may suspend or revoke the license issued to any
8 licensee under this subtitle, if the licensee:

9 (1) Fails to provide suitable food, water, and shelter for a horse under
10 the control of the licensee;

11 (2) Maintains an unsanitary or unfit stable;

12 (3) Fails to provide suitable saddles, bridles, harnesses, and other tack
13 or equipment;

14 (4) Allows unfit horses to be used for riding or driving purposes;

15 (5) Refuses to allow a member of the Board to enter and inspect the
16 licensed premises;

17 (6) Obstructs any member of the Board in the performance of his
18 duties;

19 (7) Commits an act of cruelty as defined in § 10-601 of the Criminal
20 Law Article, or allows the commission of an act of cruelty by any other person with
21 relation to any horse under the control of the licensee;

22 (8) If engaged in the public sale of horses, fails to comply with any of
23 the provisions of Title 3, Subtitle 3 of this article;

24 (9) Does any other action that, in the opinion of the Board of
25 Inspection, taking into consideration the welfare of the horses under the control of the
26 licensee, shows that the licensee is unfit to operate a horse riding stable; or

27 (10) Fails to comply with the rules and regulations of the Board after
28 receiving a license.

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.