

HOUSE BILL 662

E1

8lr1261

By: **Delegates Frush, V. Clagett, Holmes, and Hubbard**

Introduced and read first time: February 1, 2008

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law - Dogfighting and Cockfighting - Penalties**

3 FOR the purpose of increasing the maximum term of imprisonment and fine that may
4 be imposed for attending a dogfight or a cockfight; increasing the maximum
5 term of imprisonment that may be imposed for certain activities relating to
6 dogfighting or cockfighting; and generally relating to dogfighting and
7 cockfighting.

8 BY repealing and reenacting, with amendments,
9 Article - Criminal Law
10 Section 10-605, 10-607, and 10-608
11 Annotated Code of Maryland
12 (2002 Volume and 2007 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 10-605.

17 (a) A person may not knowingly attend a deliberately conducted dogfight as
18 a spectator.

19 (b) A person may not knowingly attend as a spectator a deliberately
20 conducted event that uses a fowl, cock, or other bird to fight with another fowl, cock, or
21 other bird.

22 (c) (1) A person who violates this section is guilty of a misdemeanor and
23 on conviction is subject to imprisonment not exceeding [90 days] **5 YEARS** or a fine not
24 exceeding [\$1,000] **\$5,000** or both.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) As a condition of sentencing, the court may order a defendant
2 convicted of violating this section to participate in and pay for psychological
3 counseling.

4 10-607.

5 (a) A person may not:

6 (1) use or allow a dog to be used in a dogfight;

7 (2) arrange or conduct a dogfight;

8 (3) possess, own, sell, transport, or train a dog with the intent to use
9 the dog in a dogfight; or

10 (4) knowingly allow premises under the person's ownership, charge, or
11 control to be used to conduct a dogfight.

12 (b) (1) A person who violates this section is guilty of the felony of
13 aggravated cruelty to animals and on conviction is subject to imprisonment not
14 exceeding [3] 5 years or a fine not exceeding \$5,000 or both.

15 (2) As a condition of sentencing, the court may order a defendant
16 convicted of violating this section to participate in and pay for psychological
17 counseling.

18 10-608.

19 (a) (1) In this section, "implement of cockfighting" means any implement
20 or device intended or designed:

21 (i) to enhance the fighting ability of a fowl, cock, or other bird;
22 or

23 (ii) for use in a deliberately conducted event that uses a fowl,
24 cock, or other bird to fight with another fowl, cock, or other bird.

25 (2) "Implement of cockfighting" includes:

26 (i) a gaff;

27 (ii) a slasher;

28 (iii) a postiza;

29 (iv) a sparring muff; and

1 (v) any other sharp implement designed to be attached in place
2 of the natural spur of a gamecock or other fighting bird.

3 (b) A person may not:

4 (1) use or allow the use of a fowl, cock, or other bird to fight with
5 another animal;

6 (2) possess, with the intent to unlawfully use, an implement of
7 cockfighting;

8 (3) arrange or conduct a fight in which a fowl, cock, or other bird fights
9 with another fowl, cock, or other bird;

10 (4) possess, own, sell, transport, or train a fowl, cock, or other bird
11 with the intent to use the fowl, cock, or other bird in a cockfight; or

12 (5) knowingly allow premises under the person's ownership, charge, or
13 control to be used to conduct a fight in which a fowl, cock, or other bird fights with
14 another fowl, cock, or other bird.

15 (c) (1) A person who violates this section is guilty of the felony of
16 aggravated cruelty to animals and on conviction is subject to imprisonment not
17 exceeding [3] 5 years or a fine not exceeding \$5,000 or both.

18 (2) As a condition of sentencing, the court may order a defendant
19 convicted of violating this section to participate in and pay for psychological
20 counseling.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2008.