

# HOUSE BILL 1139

L2, E1

8lr2934

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By: **Delegate Kullen**

Introduced and read first time: February 7, 2008

Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Calvert County – Regulation and Protection of Animals – Animal Control**  
3 **Officers**

4 FOR the purpose of repealing a requirement that a dog warden and his deputies  
5 enforce certain laws relating to the regulation of animals in Calvert County;  
6 authorizing, in Calvert County, the sheriff or any deputy authorized by the  
7 sheriff or an animal control officer appointed by the County Commissioners or  
8 the County Commissioners' designee to enforce certain laws relating to the  
9 regulation of animals; authorizing the sheriff, a deputy authorized by the  
10 sheriff, or an animal control officer to issue a certain summons; repealing  
11 certain requirements relating to the appointment of a dog warden by the  
12 County Commissioners of Calvert County; authorizing a certain animal control  
13 officer in Calvert County to arrest and bring a person before the District Court  
14 if the officer sees the person committing a misdemeanor that involves cruelty to  
15 animals; and generally relating to the enforcement of laws in Calvert County by  
16 animal control officers.

17 BY repealing and reenacting, with amendments,  
18 Article 24 – Political Subdivisions – Miscellaneous Provisions  
19 Section 11–504(a) and (q)  
20 Annotated Code of Maryland  
21 (2005 Replacement Volume and 2007 Supplement)

22 BY repealing and reenacting, with amendments,  
23 Article – Criminal Law  
24 Section 10–609  
25 Annotated Code of Maryland  
26 (2002 Volume and 2007 Supplement)

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



**Article 24 – Political Subdivisions – Miscellaneous Provisions**

11–504.

(a) (1) The sheriffs of the several counties, or any deputy authorized by him, shall enforce the provisions of this subtitle. The sheriffs and their duly authorized deputies may issue a summons to any person violating any provision of this subtitle.

(2) In [Calvert County and] Garrett County, the dog warden and his deputies have the duties imposed by this subsection.

(3) This section does not apply in Washington County.

**(4) (I) IN CALVERT COUNTY, THE PROVISIONS OF THIS SUBTITLE SHALL BE ENFORCED BY:**

**1. THE SHERIFF OR ANY DEPUTY AUTHORIZED BY THE SHERIFF; OR**

**2. AN ANIMAL CONTROL OFFICER APPOINTED BY THE COUNTY COMMISSIONERS OR THE COUNTY COMMISSIONERS' DESIGNEE.**

**(II) IN CALVERT COUNTY, THE SHERIFF, A DEPUTY AUTHORIZED BY THE SHERIFF, OR AN ANIMAL CONTROL OFFICER MAY ISSUE A SUMMONS TO ANY PERSON VIOLATING ANY PROVISION OF THIS SUBTITLE.**

(q) (1) The provisions of this subsection only apply to Calvert County.

(2) [The County Commissioners shall appoint a dog warden and may appoint deputy wardens. The dog warden and any deputies appointed shall serve at the discretion of the County Commissioners and shall be paid whatever salary and allowances for travel the Commissioners prescribe. Before entering upon the duties of the office, the dog warden and any deputy dog wardens appointed shall give bond to the State with good and sufficient surety, to be approved by the Commissioners, in whatever penalty the Commissioners determine and conditioned on the faithful performance of duties and proper accounting for all moneys and property received by virtue of the position. The bond shall be in the form of a “public employee’s faithful performance blanket bond” for the dog warden and all deputies, if possible. The premiums shall be borne by Calvert County, and the bonds shall be filed with the State Comptroller.

(3) The County Commissioners may construct or lease, operate and maintain a dog pound for and in Calvert County. The cost of the pound and of its operation shall be borne by the county. In their discretion, the County Commissioners

1 may enter into agreements with adjacent counties for the establishment of a dog  
2 pound to serve all of those counties.

3 **Article – Criminal Law**

4 10–609.

5 (a) Except as provided in [subsection (b)] **SUBSECTIONS (B) AND (C)** of this  
6 section, if an officer of a humane society sees a person committing a misdemeanor that  
7 involves cruelty to an animal, the officer shall arrest and bring before the District  
8 Court the person committing the misdemeanor.

9 (b) **IN CALVERT COUNTY, IF AN OFFICER OF A HUMANE SOCIETY OR AN**  
10 **ANIMAL CONTROL OFFICER APPOINTED BY THE COUNTY COMMISSIONERS OR**  
11 **THE COUNTY COMMISSIONERS’ DESIGNEE SEES A PERSON COMMITTING A**  
12 **MISDEMEANOR THAT INVOLVES CRUELTY TO AN ANIMAL, THE OFFICER SHALL**  
13 **ARREST AND BRING BEFORE THE DISTRICT COURT THE PERSON COMMITTING**  
14 **THE MISDEMEANOR.**

15 (c) In Baltimore County, the Baltimore County Department of Health,  
16 Division of Animal Control shall enforce this section.

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