

HOUSE BILL 1481

M4

8lr3216

By: **Delegates Cardin, V. Clagett, Beidle, Bromwell, Love, and Morhaim**

Introduced and read first time: February 18, 2008

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Veterinary Medical Examiners – Animal Control Facilities –**
3 **License to Administer Scheduled Drugs to Animals**

4 FOR the purpose of repealing the authority of the State Board of Veterinary Medical
5 Examiners to issue a special permit to a certain humane society or animal
6 shelter to administer a certain drug to euthanize animals; authorizing the
7 Board to issue a license, on application of an animal control facility, to allow the
8 facility to administer certain drugs to sedate or euthanize animals; requiring
9 the application to designate one individual responsible for the drugs;
10 establishing an annual fee for the license; authorizing the Board to reject an
11 application or suspend or revoke a license for certain reasons in accordance with
12 certain procedures; requiring a licensed facility to comply with certain employee
13 training requirements; authorizing a member of the Board or the Board's
14 designated inspector to enter a licensed facility at any reasonable hour to
15 enforce certain regulations; requiring the Board, in consultation with the
16 Department of Health and Mental Hygiene to adopt regulations; repealing a
17 provision that exempts a certain humane society or animal shelter with a
18 special permit from certain registration requirements; defining a certain term;
19 altering a certain definition; and generally relating to animal control facilities
20 and a license to administer scheduled drugs to animals.

21 BY repealing and reenacting, with amendments,
22 Article – Agriculture
23 Section 2–305
24 Annotated Code of Maryland
25 (2007 Replacement Volume)

26 BY repealing and reenacting, with amendments,
27 Article – Criminal Law
28 Section 5–101(d)
29 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2002 Volume and 2007 Supplement)

2 BY repealing and reenacting, without amendments,
3 Article – Criminal Law
4 Section 10–601(a) and (d)
5 Annotated Code of Maryland
6 (2002 Volume and 2007 Supplement)

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

9 **Article – Agriculture**

10 2–305.

11 (A) IN THIS SECTION, “ANIMAL CONTROL FACILITY” MEANS A HUMANE
12 SOCIETY, AS DEFINED IN § 10–601 OF THE CRIMINAL LAW ARTICLE, OR A
13 COUNTY OR MUNICIPAL DESIGNATED ANIMAL SHELTER.

14 (B) The Board, [upon] ON terms and conditions [it finds proper, shall]
15 SATISFACTORY TO THE BOARD, MAY issue A LICENSE to [any humane society, as
16 defined by § 10–601 of the Criminal Law Article, or county or municipal designated
17 animal shelter which submits an application, a special permit authorizing purchase,
18 possession, and use of sodium pentobarbital to euthanize injured, sick, homeless, and
19 unwanted domestic animals] AN ANIMAL CONTROL FACILITY TO ALLOW THE
20 ANIMAL CONTROL FACILITY TO ADMINISTER DRUGS NEEDED TO SEDATE,
21 EUTHANIZE, OR SEDATE AND EUTHANIZE ANIMALS.

22 (C) (1) (I) THE OWNER OF AN ANIMAL CONTROL FACILITY SHALL
23 APPLY FOR THE LICENSE.

24 (II) THE BOARD SHALL ISSUE A LICENSE IN THE NAME OF
25 THE OWNER OF AN ANIMAL CONTROL FACILITY.

26 (2) The [permit] APPLICATION shall designate [the sole person
27 responsible] ONE INDIVIDUAL AT THE FACILITY RESPONSIBLE FOR THE DRUGS.

28 (3) The [application for the special permit and the annual renewal of
29 the permit shall be accompanied by a fee set by the Board. Any organization that has
30 received a permit pursuant to this section is exempted from the registration
31 requirement of §§ 5–301 and 5–304 of the Criminal Law Article as to pentobarbital]
32 ANNUAL LICENSE FEE IS \$100.

33 (D) IN ACCORDANCE WITH PROCEDURES SET OUT IN § 2–311 OF THIS
34 SUBTITLE, THE BOARD MAY:

1 (d) “Humane society” means a society or association incorporated in
2 Maryland for the prevention of cruelty to animals.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 June 1, 2008.