

# HOUSE BILL 1021

L2

2lr1812

---

By: **Delegates Kach, Aumann, Boteler, Bromwell, Burns, Cluster, DeBoy, Frank, Impallaria, Jones, Lafferty, Malone, McDonough, Minnick, Morhaim, Nathan–Pulliam, Stein, and Weir**

Introduced and read first time: February 10, 2012

Assigned to: Judiciary

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore County – Division of Animal Control – Treatment of Unclaimed**  
3 **Dogs or Cats**

4 FOR the purpose of requiring the Baltimore County Department of Health, Division of  
5 Animal Control to make it a priority to place an unclaimed dog or cat in a  
6 suitable home; requiring the Division of Animal Control to establish a certain  
7 program of volunteers; and generally relating to the treatment of unclaimed  
8 dogs or cats by the Baltimore County Department of Health, Division of Animal  
9 Control.

10 BY repealing and reenacting, with amendments,  
11 Article – Criminal Law  
12 Section 10–617  
13 Annotated Code of Maryland  
14 (2002 Volume and 2011 Supplement)

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

17 **Article – Criminal Law**

18 10–617.

19 (a) In this section, “animal control unit” means the local organization or  
20 governmental unit that the appropriate local governmental body designates to house,  
21 care for, and control domestic animals of unknown ownership.

22 (b) An animal control unit shall dispose of an unclaimed dog or cat only by:

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (1) placing the animal in a suitable home;
- 2 (2) retaining the animal in the animal control unit; or
- 3 (3) humanely destroying the animal.

4 (c) (1) **[A] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**  
5 **SUBSECTION, A domestic animal that is impounded by an animal control unit may**  
6 **not be sold, placed, or destroyed until the animal has been carefully inspected for a**  
7 **tag, tattoo, or other identification to ascertain the owner and:**

8 **[(1)] (I) 72 hours have elapsed after notice has been given to the**  
9 **owner;**

10 **[(2)] (II) if the owner cannot be notified, 72 hours have elapsed after**  
11 **the animal is impounded;**

12 **[(3)] (III) the animal is seriously diseased or severely injured; or**

13 **[(4)] (IV) the animal is under 3 months of age.**

14 **(2) IN BALTIMORE COUNTY, THE BALTIMORE COUNTY**  
15 **DEPARTMENT OF HEALTH, DIVISION OF ANIMAL CONTROL SHALL:**

16 **(I) MAKE IT A PRIORITY TO PLACE AN UNCLAIMED DOG OR**  
17 **CAT IN A SUITABLE HOME; AND**

18 **(II) ESTABLISH A PROGRAM OF VOLUNTEERS TO ASSIST IN:**

19 **1. PLACING DOGS AND CATS IN SUITABLE HOMES;**  
20 **AND**

21 **2. OTHER FUNCTIONS DETERMINED BY THE**  
22 **DIVISION OF ANIMAL CONTROL.**

23 (d) (1) An owner who retrieves an animal from an animal control unit  
24 shall pay all fees, costs, and expenses incurred by the animal control unit.

25 (2) The necessary expenses for food and attention given to an animal  
26 under this section may be collected from the owner, and the animal is not exempt from  
27 levy and sale on execution of a judgment for the expenses.

28 (3) A new owner with whom an animal is placed under subsection  
29 (b)(1) of this section may be charged an adoption fee.

1           (e) A person who violates this section is guilty of a misdemeanor and on  
2 conviction is subject to a fine not exceeding \$500.

3           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4 October 1, 2012.