

# HOUSE BILL 502

I4

3lr1246

---

By: **Delegates Glass, Dwyer, and Kipke**  
Introduced and read first time: January 30, 2013  
Assigned to: Environmental Matters

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Owner or Operator of Livery Stable – Lien on Dairy Animal**

3 FOR the purpose of granting an owner or operator of a livery stable or other  
4 establishment who gives care or custody to a dairy animal a lien on the dairy  
5 animal for a certain charge incurred for the milking of the dairy animal for the  
6 milk to be provided to a certain person; and generally relating to the granting of  
7 a lien to owners or operators of livery stables or other establishments for a  
8 charge incurred for milking a dairy animal.

9 BY repealing and reenacting, with amendments,  
10 Article – Commercial Law  
11 Section 16–401  
12 Annotated Code of Maryland  
13 (2005 Replacement Volume and 2012 Supplement)

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

16 **Article – Commercial Law**

17 16–401.

18 (a) The owner or operator of a livery stable or other establishment who gives  
19 care or custody to any livestock has a lien on the livestock for any reasonable charge  
20 incurred for:

21 (1) Board and custody;

22 (2) Training;

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (3) Veterinarians' and blacksmiths' services; [and]

2           **(4) MILKING A DAIRY ANIMAL FOR THE UNPASTEURIZED MILK TO**  
3 **BE PROVIDED TO AN INDIVIDUAL WITH A PARTIAL OR COMPLETE OWNERSHIP**  
4 **INTEREST IN THE DAIRY ANIMAL; AND**

5           [[4] **(5)** Other proper maintenance expenses.

6           (b) If the charges which give rise to the lien are due and unpaid for 30 days  
7 and the lienor is in possession of the livestock, the lienor may sell the livestock to  
8 which the lien attaches at public sale.

9           (c) (1) The lienor shall publish notice of the sale once a week for two  
10 successive weeks in one or more newspapers of general circulation in the county where  
11 the livestock is located.

12           (2) In addition, the lienor shall send notice by registered or certified  
13 mail at least 30 days before the sale to the owner of the livestock at his last known  
14 address. If the owner's address is unknown, the notice may be given by posting it on  
15 the door of the courthouse or on a bulletin board in the immediate vicinity of the door  
16 of the courthouse of the county where the livestock is located.

17           (d) (1) The proceeds of the sale shall be applied, in the following order, to:

18                   (i) The expenses of the sale; and

19                   (ii) The amount of the lien claim.

20           (2) After application of the proceeds in accordance with paragraph (1)  
21 of this subsection, any remaining balance shall be paid to the owner of the livestock.

22           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
23 October 1, 2013.