

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE

Senate Bill 838

(Senator Waugh)

Education, Health, and Environmental Affairs

Environment and Transportation

St. Mary's County - Animal Regulations

This bill authorizes the St. Mary's County Commissioners to enact a local law to provide a comprehensive system for the regulation, humane treatment, and keeping of domestic animals and wild animals kept in captivity. The local law may include a schedule of fines for designated violations, which are considered civil infractions. The bill also repeals provisions of law that authorize the St. Mary's County Commissioners to pass rules, regulations, or resolutions relating to dog licenses, the prohibition of dogs running at large off the property of the owner, the seizure and disposal of dogs found running at large, and the confinement of female dogs in heat, as well as the associated fines for violations. Under current law, violations of these provisions are considered misdemeanors.

Fiscal Summary

State Effect: Potential decrease in misdemeanor violations in the District Court for St. Mary's County; however, the bill is not expected to significantly affect the operations or finances of the District Court.

Local Effect: St. Mary's County operations and finances are not significantly affected.

Small Business Effect: None.

Analysis

Current Law: The St. Mary's County Commissioners may pass rules, regulations, or resolutions to provide for (1) issuing dog licenses; (2) keeping records of all sales of licenses; (3) designating persons authorized to sell licenses; and (4) seizing and disposing of dogs found running at large in the county.

Before the county commissioners pass a rule, regulation, or resolution, the proposed rule, regulation, or resolution must be advertised in a newspaper of general circulation in the county once each week for four successive weeks, to provide any person an opportunity to be heard. The rules, regulations, or resolutions must include standards and must operate uniformly.

The St. Mary's County Commissioners may establish penalties for a violation of a rule, regulation, or resolution that is passed. The penalty for each violation may not exceed imprisonment for 1 year and/or a fine of \$1,000.

The St. Mary's County Commissioners, by rule, regulation, or resolution, may prohibit an owner of a dog from allowing the dog, whether licensed or unlicensed, to run at large off the premises of the owner. A rule, regulation, or resolution that is passed may allow the following dogs to run at large when accompanied by the owner or agent of the owner and when kept within sight or calling distance of the owner or agent: (1) dogs proved to be obedient, in accordance with rule, regulation, or resolution of the county; (2) dogs being used or trained for hunting; and (3) dogs accompanied by the owner on horseback.

The St. Mary's County Commissioners, by rule, regulation, or resolution, may provide for enforcement and investigation of reports of violations of a rule, regulation, or resolution that is passed. An owner of a dog who fails to comply with a rule, regulation, or resolution that is passed is guilty of a misdemeanor and on conviction is subject to a fine of up to \$25 for each violation.

In St. Mary's County, the owner or custodian of a female dog that is in heat must (1) adequately and securely confine the dog; (2) prevent the dog from contacting roaming dogs; and (3) protect the dog from other dogs that are attracted to the premises. A person who violates this provision is guilty of a misdemeanor and on conviction is subject to a fine of between \$10 and \$50.

Local Fiscal Effect: St. Mary's County currently collects approximately \$4,000 in animal control related fines each year and \$6,000 in animal licensing fees. The county advises that any new fines set under a new comprehensive animal control ordinance would not be significantly different than those currently in place. As such, county operations and finances are not expected to be significantly impacted by the bill.

Additional Information

Prior Introductions: None.

Cross File: HB 616 (St. Mary's County Delegation) - Environment and Transportation.

Information Source(s): St. Mary's County, Judiciary (Administrative Office of the Courts), Department of Legislative Services

Fiscal Note History: First Reader - March 6, 2015
min/hlb

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