

# HOUSE BILL 438

E4  
HB 505/15 – JUD

6lr0620  
CF SB 917

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By: **Delegates Kramer and Fraser–Hidalgo**  
Introduced and read first time: January 29, 2016  
Assigned to: Judiciary

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: February 23, 2016

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Public Safety – Law Enforcement – Veterinary Care of Retired Law**  
3 **Enforcement K–9s Act**

4 FOR the purpose of requiring certain State and local law enforcement agencies to  
5 reimburse individuals who take possession of dogs formerly used in law enforcement  
6 work under certain circumstances for certain veterinary treatment; specifying that  
7 the reimbursement may be only for certain veterinary treatment and may not exceed  
8 a certain amount of money; authorizing certain State law enforcement agencies to  
9 accept public donations for the payment of certain veterinary expenses; requiring  
10 certain State law enforcement agencies to hold certain donations in a separate  
11 account not subject to appropriation by the Governor; authorizing certain local law  
12 enforcement agencies to establish a separate fund to accept public donations for the  
13 payment of certain veterinary expenses; providing for the application of this Act; and  
14 generally relating to dogs formerly used for law enforcement work.

15 BY adding to  
16 Article – Public Safety  
17 Section 3–514  
18 Annotated Code of Maryland  
19 (2011 Replacement Volume and 2015 Supplement)

20 Preamble

21 WHEREAS, Law enforcement dogs have become an integral part of many law  
22 enforcement efforts statewide, including suspect apprehension through tracking and

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 searching, evidence location, drug and bomb detection, and search and rescue operations;  
2 and

3 WHEREAS, Law enforcement agencies agree that the use of law enforcement dogs  
4 is an extremely cost-effective means for crime control and that these dogs possess skills  
5 and abilities that frequently exceed the capabilities of existing technology; and

6 WHEREAS, The work of law enforcement dogs is often dangerous and can cause  
7 these dogs to incur injuries at a rate higher than the rate of injury that occurs with respect  
8 to nonworking dogs; and

9 WHEREAS, Law enforcement dogs provide significant contributions to the welfare  
10 and safety of residents of Maryland; now, therefore,

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

13 **Article – Public Safety**

14 **3-514.**

15 **(A) THIS SECTION APPLIES ONLY TO PUBLICLY OWNED DOGS THAT ARE**  
16 **LICENSED UNDER § 2-313 OF THIS ARTICLE.**

17 **(B) A STATE OR LOCAL LAW ENFORCEMENT AGENCY THAT REMOVES FROM**  
18 **DUTY A DOG USED IN LAW ENFORCEMENT WORK SHALL REIMBURSE AN INDIVIDUAL**  
19 **WHO, UNDER A WRITTEN AGREEMENT WITH THE LAW ENFORCEMENT AGENCY,**  
20 **TAKES POSSESSION OF THE DOG ON OR AFTER OCTOBER 1, 2016, FOR REASONABLE**  
21 **AND NECESSARY VETERINARY TREATMENT PROVIDED TO THE DOG.**

22 **(C) REIMBURSEMENT UNDER SUBSECTION (B) OF THIS SECTION:**

23 **(1) MAY BE ONLY FOR USUAL AND CUSTOMARY VETERINARY**  
24 **TREATMENT THAT IS NOT ATTRIBUTABLE TO ABUSE OR NEGLECT OF THE DOG AND**  
25 **IS VERIFIED BY WRITTEN RECEIPT; AND**

26 **(2) MAY NOT EXCEED \$2,500 DURING A CALENDAR YEAR AND \$10,000**  
27 **OVER THE LIFE OF THE DOG.**

28 **(D) (1) A STATE LAW ENFORCEMENT AGENCY MAY ACCEPT PUBLIC**  
29 **DONATIONS TO MEET THE REQUIREMENTS OF THIS SECTION AND SHALL HOLD THE**  
30 **DONATIONS IN A SEPARATE ACCOUNT THAT IS NOT SUBJECT TO APPROPRIATION BY**  
31 **THE GOVERNOR.**

1                   **(2) A LOCAL LAW ENFORCEMENT AGENCY MAY ESTABLISH A**  
2 **SEPARATE FUND TO ACCEPT AND MANAGE PUBLIC DONATIONS IN ORDER TO MEET**  
3 **THE REQUIREMENTS OF THIS SECTION.**

4                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 October 1, 2016.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.