

Department of Legislative Services
Maryland General Assembly
2016 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 46

(Delegate Chang)

Environment and Transportation

Judicial Proceedings

Animal Control Units - Impounded Animals - Identification

This bill adds “microchip” to the listed types of identification that a domestic animal impounded by an animal control unit must be carefully inspected for, to ascertain the owner, before being sold, placed, or destroyed. An animal control unit must make a reasonable effort to notify an impounded animal’s owner of the location of and the procedure for retrieving the animal. A person who violates the bill’s requirements is subject to a civil fine of up to \$500 for a first offense and, for a second or subsequent offense, is guilty of a misdemeanor and subject to a fine of up to \$500. In addition, the bill makes violations of existing provisions relating to animal control units and owners who retrieve animals from such units subject to the same penalties, in place of any violation (whether a first or a subsequent offense) being a misdemeanor subject to a fine of up to \$500.

Fiscal Summary

State Effect: The bill is not expected to materially affect State finances.

Local Effect: The bill is not expected to materially affect local government finances.

Small Business Effect: None.

Analysis

Current Law: An animal control unit must dispose of an unclaimed dog or cat only by (1) placing the animal in a suitable home; (2) retaining the animal in the animal control unit; or (3) humanely destroying the animal. An animal control unit may not sell, place, or destroy a domestic animal impounded by the unit until the animal has been carefully

inspected for a tag, tattoo, or other identification to ascertain the owner and (1) 72 hours have elapsed after notice has been given to the owner; (2) if the owner cannot be notified, 72 hours have elapsed after the animal is impounded; (3) the animal is seriously diseased or severely injured; or (4) the animal is younger than three months. An owner who retrieves an animal from an animal control unit must pay all fees, costs, and expenses incurred by the animal control unit. "Animal control unit" is defined as a local organization or governmental unit that the appropriate local governmental body designates to house, care for, and control domestic animals of unknown ownership.

A person who violates these provisions is guilty of a misdemeanor and subject to a fine of up to \$500.

Background: The Humane Society of the United States indicates that microchips are tiny transponders, about the size of a grain of rice, which can be implanted in a pet's skin by many veterinarians and animal shelters. The Humane Society describes them as a good back-up option for pet identification that provides an extra level of protection in case a pet loses his or her collar and tags.

MDA estimates that the vast majority of animal control facilities, veterinary offices, and veterinary hospitals in the State scan unidentified animals for a microchip. According to the department, the cost of microchip scanners is approximately \$150 to \$300.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Department of Agriculture; Baltimore City; Calvert, Caroline, Howard, and Montgomery counties; The Humane Society of the United States; Department of Legislative Services

Fiscal Note History: First Reader - February 15, 2016
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