

# HOUSE BILL 880

L1, L3, M4

9lr2638

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By: **Delegates Arikan, Bagnall, Boyce, Cassilly, Clark, Cox, Fraser-Hidalgo, Guyton, Hornberger, Johnson, Kerr, Kittleman, Parrott, Reilly, Stein, and Szeliga**

Introduced and read first time: February 8, 2019

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Counties and Municipalities – Transportation of Animals – Limitation on**  
3 **Authority**

4 FOR the purpose of prohibiting the governing body of a county or municipality, unless  
5 expressly authorized by federal or State law, from enacting a local law that restricts  
6 or prohibits the transportation of certain animals for certain purposes; providing  
7 that the provisions of a certain federal or State law control under certain  
8 circumstances; defining a certain term; providing for the application of this Act; and  
9 generally relating to local laws restricting the transportation of animals.

10 BY adding to  
11 Article – Local Government  
12 Section 1–1313  
13 Annotated Code of Maryland  
14 (2013 Volume and 2018 Supplement)

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

17 **Article – Local Government**

18 **1–1313.**

19 **(A) (1) IN THIS SECTION, “ANIMAL” MEANS A NONHUMAN LIVING**  
20 **CREATURE.**

21 **(2) “ANIMAL” INCLUDES:**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1                   **(I) DOMESTIC ANIMALS;**
- 2                   **(II) SERVICE ANIMALS;**
- 3                   **(III) LIVESTOCK AND POULTRY;**
- 4                   **(IV) AQUARIUM ANIMALS;**
- 5                   **(V) WILDLIFE, INCLUDING BIRDS OF PREY AND REPTILES, USED**  
6 **IN EDUCATIONAL PROGRAMS, PRESENTATIONS, OR DISPLAYS; AND**
- 7                   **(VI) WORKING ANIMALS THAT PERFORM A SPECIFIC DUTY OR**  
8 **FUNCTION IN COMMERCE, SERVICE, RANCHING, OR ANIMAL ENTERPRISE.**

9                   **(3) "ANIMAL" DOES NOT INCLUDE A LIVING CREATURE THAT IS**  
10 **TRANSPORTED FOR USE IN A CIRCUS.**

11                   **(B) THIS SECTION APPLIES TO ALL COUNTIES AND MUNICIPALITIES.**

12                   **(C) UNLESS EXPRESSLY AUTHORIZED BY FEDERAL OR STATE LAW, THE**  
13 **GOVERNING BODY OF A COUNTY OR MUNICIPALITY MAY NOT ENACT A LOCAL LAW**  
14 **THAT RESTRICTS OR PROHIBITS THE TRANSPORTATION OF AN ANIMAL FOR**  
15 **EDUCATION, EXHIBITION, COMPETITION, OR ENTERTAINMENT PURPOSES.**

16                   **(D) IN THE EVENT OF A CONFLICT BETWEEN THE APPLICATION OF THIS**  
17 **SECTION AND ANY FEDERAL OR STATE LAW REGARDING ANIMAL CARE OR PUBLIC**  
18 **HEALTH AND SAFETY, THE PROVISIONS OF THE FEDERAL OR STATE LAW SHALL**  
19 **CONTROL.**

20                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
21 October 1, 2019.