

SENATE BILL 56

M4

9lr0105

(PRE-FILED)

By: **Chair, Education, Health, and Environmental Affairs Committee (By Request
– Departmental – Agriculture)**

Requested: October 15, 2018

Introduced and read first time: January 9, 2019

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 12, 2019

CHAPTER _____

1 AN ACT concerning

2 **Secretary of Agriculture – Regulation of Poultry to Protect Animal Health and**
3 **Control Avian Influenza**

4 FOR the purpose of authorizing the Secretary of Agriculture to provide an exemption from
5 a certain annual licensing requirement to a certain live poultry market operator,
6 production facility operator, or poultry dealer; altering the authority of the Secretary
7 to adopt a certain animal health program; altering certain definitions; making
8 stylistic changes; and generally relating to the regulation of poultry to protect animal
9 health and to control avian influenza.

10 BY repealing and reenacting, with amendments,

11 Article – Agriculture

12 Section 3–801 through 3–803 to be under the amended subtitle “Subtitle 8.

13 Regulation of Poultry to Protect Animal Health and Control Avian Influenza”

14 Annotated Code of Maryland

15 (2016 Replacement Volume and 2018 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

17 That the Laws of Maryland read as follows:

18 **Article – Agriculture**

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 Subtitle 8. Regulation of Poultry to **PROTECT ANIMAL HEALTH AND** Control Avian
2 Influenza.

3 3–801.

4 (a) In this subtitle the following words have the meanings indicated.

5 (b) “Live poultry market” means any facility **OR LOCATION** where [live poultry
6 is gathered to be slaughtered and sold on site] **POULTRY:**

7 **(1) IS OFFERED FOR SALE, SOLD, DISTRIBUTED, OR TRANSFERRED;**
8 **OR**

9 **(2) IS SLAUGHTERED AND SOLD ON–SITE.**

10 (c) “Poultry” means any living domesticated bird ~~OR ITS HATCHING EGGS.~~

11 (d) “Poultry dealer” means a person who [is in the business of trading, selling,
12 transporting, or moving poultry between a production facility and a live poultry market]
13 **ENGAGES IN THE BUSINESS OF BUYING, SELLING, EXCHANGING, OR TRANSPORTING**
14 **POULTRY BETWEEN A PRODUCTION FACILITY AND A LIVE POULTRY MARKET.**

15 (e) “Production facility” means the facility or farm that is the origin of poultry
16 offered for sale at a live poultry market.

17 3–802.

18 (a) [Each] **EXCEPT AS PROVIDED BY THE SECRETARY, EACH** live poultry
19 market operator, production facility operator, and poultry dealer shall obtain an annual
20 license from the Secretary.

21 (b) Each license shall be effective until the following June 30, unless suspended
22 or revoked.

23 3–803.

24 **(A)** In addition to [any of the powers provided in this article] **THE POWER** to
25 protect the health of domestic animals **SET FORTH ELSEWHERE IN THIS ARTICLE**, the
26 Secretary [has the authority to] **MAY** adopt an animal health protection program that is
27 applicable to any live poultry market, production facility, and poultry dealer [and].

28 **(B) AN ANIMAL HEALTH PROTECTION PROGRAM ADOPTED BY THE**
29 **SECRETARY UNDER SUBSECTION (A) OF THIS SECTION MAY INCLUDE A PROGRAM**
30 that meets the regulatory requirements of the United States Department of Agriculture’s

1 Uniform Standards for the Prevention and Control of H5 and H7 Low Pathogenicity Avian
2 Influenza in the live bird marketing system.

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.