

# HOUSE BILL 897

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CF SB 353

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By: **Delegates Beitzel, Buckel, Cox, Hornberger, and McComas**

Introduced and read first time: February 3, 2020

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Black Bear Damage Reimbursement Fund – Pets**

3 FOR the purpose of adding pets to the list of items for which a certain person may be  
4 reimbursed from a certain fund; and generally relating to the Black Bear Damage  
5 Reimbursement Fund.

6 BY repealing and reenacting, without amendments,  
7 Article – Family Law  
8 Section 4–501(n)  
9 Annotated Code of Maryland  
10 (2019 Replacement Volume)

11 BY repealing and reenacting, with amendments,  
12 Article – Natural Resources  
13 Section 10–423.1  
14 Annotated Code of Maryland  
15 (2012 Replacement Volume and 2019 Supplement)

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

18 **Article – Family Law**

19 4–501.

20 (n) (1) “Pet” means a domesticated animal.

21 (2) “Pet” does not include livestock.

22 **Article – Natural Resources**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 10-423.1.

2 (a) The General Assembly finds that it is in the public interest to provide funding  
3 to reimburse a person who has sustained damage to agricultural products **OR PETS** as a  
4 result of black bear.

5 (b) (1) There is a Black Bear Damage Reimbursement Fund in the  
6 Department.

7 (2) The Fund consists of:

8 (i) Proceeds from the sale of a conservation bear stamp or decal  
9 which may be purchased at a cost of \$5 for each stamp or decal; and

10 (ii) Gifts, grants, and contributions to the State that are designated  
11 for inclusion in the Fund.

12 (3) The Fund is a continuing, nonlapsing special fund, and is not subject to  
13 § 7-302 of the State Finance and Procurement Article.

14 (4) The State Treasurer shall hold and the State Comptroller shall account  
15 for the Fund.

16 (c) The Department may reimburse a person from the Black Bear Damage  
17 Reimbursement Fund in accordance with subsections (d) and (e) of this section for any  
18 damage to the person's:

19 (1) Beehives, fruit, or other crops; [or]

20 (2) Livestock and poultry as defined in § 1-101 of the Agriculture Article;

21 **OR**

22 **(3) PETS AS DEFINED IN § 4-501 OF THE FAMILY LAW ARTICLE.**

23 (d) (1) A person is eligible to be reimbursed from the Fund if:

24 (i) The person has followed all black bear damage preventive  
25 measures recommended by the Department;

26 (ii) The damage amount is determined by an extension agent of the  
27 University of Maryland Cooperative Extension Service; and

28 (iii) The Department has verified that the damage was caused by  
29 black bear.

30 (2) Subject to available funding, a person may be reimbursed from the

1 Fund in an amount not less than \$200 or more than \$3,000 per year.

2 (e) If the money in the Fund is not sufficient to satisfy all the claims in accordance  
3 with the conditions described in subsection (d) of this section, an equal percent of each claim  
4 shall be paid.

5 (f) The Department shall adopt regulations to carry out the provisions of this  
6 section.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 October 1, 2020.