

# SENATE BILL 189

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01r0024  
CF 01r2586

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By: **Senators Gallion and Bailey**

Introduced and read first time: January 15, 2020

Assigned to: Education, Health, and Environmental Affairs and Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Veterinary Medical Examiners – Practicing Veterinary Medicine**  
3 **Without a License – Cease and Desist Order and Civil Penalty**

4 FOR the purpose of authorizing, under certain circumstances, the State Board of  
5 Veterinary Medical Examiners to issue a cease and desist order and impose a certain  
6 civil penalty against a person who practices, attempts to practice, or offers to practice  
7 veterinary medicine without a license issued by the Board; requiring the Board to  
8 pay certain penalties into the General Fund of the State; and generally relating to  
9 the State Board of Veterinary Medical Examiners.

10 BY adding to

11 Article – Agriculture

12 Section 2–313.2

13 Annotated Code of Maryland

14 (2016 Replacement Volume and 2019 Supplement)

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

17 **Article – Agriculture**

18 **2–313.2.**

19 **(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION AND ON REVIEW AND**  
20 **APPROVAL OF THE SECRETARY OR THE SECRETARY’S DESIGNEE, THE BOARD MAY**  
21 **ISSUE A CEASE AND DESIST ORDER AND IMPOSE A CIVIL PENALTY AGAINST A**  
22 **PERSON WHO PRACTICES, ATTEMPTS TO PRACTICE, OR OFFERS TO PRACTICE**  
23 **VETERINARY MEDICINE WITHOUT A LICENSE.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(B) (1) A CIVIL PENALTY IMPOSED UNDER THIS SECTION MAY NOT**  
2 **EXCEED \$5,000 FOR EACH VIOLATION.**

3           **(2) IN SETTING THE AMOUNT OF A CIVIL PENALTY, THE BOARD SHALL**  
4 **CONSIDER:**

5                   **(I) THE SERIOUSNESS OF THE VIOLATION;**

6                   **(II) THE HARM CAUSED BY THE VIOLATION;**

7                   **(III) THE GOOD FAITH OF THE VIOLATOR;**

8                   **(IV) ANY HISTORY OF PREVIOUS VIOLATIONS BY THE VIOLATOR;**

9 **AND**

10                   **(V) ANY OTHER RELEVANT FACTORS.**

11           **(C) THE BOARD SHALL PAY ANY PENALTY COLLECTED UNDER THIS**  
12 **SECTION INTO THE GENERAL FUND OF THE STATE.**

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