

HOUSE BILL 1064

N1

2lr1035
CF SB 816

By: ~~Delegate Stein~~ Delegates Stein, Amprey, Barve, Foley, Fraser-Hidalgo, Healey, Holmes, Jalisi, Lehman, Love, Prettyman, Ruth, Terrasa, and Stewart

Introduced and read first time: February 10, 2022

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 2022

CHAPTER _____

1 AN ACT concerning

2 **Real Property – Actions for Possession – Pet Protections**

3 FOR the purpose of requiring the Department of Agriculture to develop, publish, and
4 regularly update a fact sheet on the care and protection of pets in the event of an
5 eviction or other loss of possession of real property; requiring the fact sheet to be
6 published in a certain manner ~~and distributed to certain persons at certain times;~~
7 requiring a landlord to provide information about the fact sheet at the execution of
8 a lease under certain circumstances; requiring the Maryland Judiciary to provide
9 information about the fact sheet when issuing certain warrants; requiring a sheriff,
10 constable, or other official, under certain circumstances, to return a pet to a tenant
11 or certain other person or to contact an animal shelter or a rescue organization and
12 provide certain notice; prohibiting the leaving of a pet on public property; and
13 generally relating to actions for possession of real property and pet protections.

14 BY repealing and reenacting, without amendments,
15 Article – Agriculture
16 Section 2–1701 and 15–101(a)(1) and (2)
17 Annotated Code of Maryland
18 (2016 Replacement Volume and 2021 Supplement)

19 BY adding to
20 Article – Real Property

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 Section 14–701 through 14–706 to be under the new subtitle “Subtitle 7. Pet
2 Protections”
3 Annotated Code of Maryland
4 (2015 Replacement Volume and 2021 Supplement)

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

7 **Article – Agriculture**

8 2–1701.

9 In this subtitle, “animal shelter” means:

- 10 (1) A county or municipal animal control facility;
- 11 (2) An organization that contracts with a county or municipality for animal
12 control; or
- 13 (3) An organization that shelters animals and has received a grant from
14 the Spay/Neuter Fund under Subtitle 16 of this title during the previous year.

15 15–101.

16 (a) (1) In this section the following words have the meanings indicated.

17 (2) “Animal rescue organization” includes:

- 18 (i) A nonprofit organization incorporated for the purpose of rescuing
19 animals in need and finding permanent adoptive homes for the animals; and
- 20 (ii) A government–operated animal control unit that provides
21 animals for adoption.

22 **Article – Real Property**

23 **SUBTITLE 7. PET PROTECTIONS.**

24 **14–701.**

25 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
26 **INDICATED.**

27 **(B) “ANIMAL RESCUE ORGANIZATION” HAS THE MEANING STATED IN §**
28 **15–101 OF THE AGRICULTURE ARTICLE.**

1 (C) "ANIMAL SHELTER" HAS THE MEANING STATED IN § 2-1701 OF THE
2 AGRICULTURE ARTICLE.

3 (D) "PET" MEANS A DOMESTICATED DOG OR CAT.

4 14-702.

5 THIS SUBTITLE APPLIES TO AN ACTION FOR POSSESSION OF REAL PROPERTY
6 FILED ON OR AFTER OCTOBER 1, 2022, BY:

7 (1) A LANDLORD AGAINST A TENANT UNDER § 8-401, § 8-402, OR §
8 8-402.1 OF THIS ARTICLE; OR

9 (2) A COMPLAINANT AGAINST A PERSON HOLDING POSSESSION OF
10 REAL PROPERTY UNDER § 14-132 OF THIS TITLE.

11 14-703.

12 (A) BY OCTOBER 1, 2022, THE DEPARTMENT OF AGRICULTURE SHALL
13 DEVELOP AND PUBLISH ON ITS WEBSITE A FACT SHEET THAT PROVIDES
14 INFORMATION ABOUT HOW A PERSON MAY CARE FOR AND PROTECT ANY PETS IN
15 THE EVENT THE PERSON IS EVICTED OR LOSES POSSESSION OF THE PERSON'S
16 PROPERTY.

17 (B) THE DEPARTMENT OF AGRICULTURE SHALL:

18 (1) INCLUDE IN THE FACT SHEET INFORMATION ON STATE AND
19 LOCAL RESOURCES, INCLUDING ANIMAL SHELTERS AND ANIMAL RESCUE
20 ORGANIZATIONS; AND

21 (2) UPDATE THE FACT SHEET ON A REGULAR BASIS.

22 14-704.

23 ~~AT ON OR AFTER OCTOBER 1, 2022, AT THE EXECUTION OF A LEASE, THE~~
24 ~~LANDLORD SHALL INCLUDE A COPY OF THE FACT SHEET DESCRIBED IN § 14-703 OF~~
25 ~~THIS SUBTITLE WITH THE LEASE A DESCRIPTION OF THE FACT SHEET PUBLISHED~~
26 ~~UNDER § 14-703 OF THIS SUBTITLE AND WHERE THE FACT SHEET IS LOCATED ON~~
27 ~~THE DEPARTMENT OF AGRICULTURE WEBSITE IF THE LANDLORD KNOWS OR HAS~~
28 ~~REASON TO BELIEVE THAT A TENANT POSSESSES A PET.~~

29 14-705.

1 ~~(A) A LANDLORD SHALL INCLUDE A COPY OF THE FACT SHEET DESCRIBED~~
2 ~~IN § 14-703 OF THIS SUBTITLE WITH THE WRITTEN NOTICE OF AN EVICTION~~
3 ~~PROCEEDING THAT A LANDLORD IS REQUIRED TO PROVIDE TO A TENANT FOR:~~

4 ~~(1) A FAILURE TO PAY RENT UNDER § 8-401 OF THIS ARTICLE;~~

5 ~~(2) A TENANT HOLDING OVER UNDER § 8-402 OF THIS ARTICLE; AND~~

6 ~~(3) A BREACH OF LEASE UNDER § 8-402.1 OF THIS ARTICLE.~~

7 ~~(B) THE SUMMONS REQUIRED TO BE PROVIDED UNDER § 14-132 OF THIS~~
8 ~~TITLE TO A PERSON HOLDING POSSESSION OF REAL PROPERTY SHALL INCLUDE A~~
9 ~~COPY OF THE FACT SHEET DESCRIBED IN § 14-703 OF THIS SUBTITLE.~~

10 ~~(C) THE FACT SHEET REQUIRED UNDER SUBSECTIONS (A) AND (B) OF THIS~~
11 ~~SECTION SHALL BE PROVIDED REGARDLESS OF WHETHER THE LANDLORD OR~~
12 ~~COMPLAINANT KNOWS WHETHER THERE IS A PET ON THE PREMISES.~~

13 THE MARYLAND JUDICIARY SHALL INCLUDE A DESCRIPTION OF THE FACT
14 SHEET PUBLISHED UNDER § 14-703 OF THIS SUBTITLE AND WHERE THE FACT SHEET
15 IS LOCATED ON THE DEPARTMENT OF AGRICULTURE WEBSITE WITH ANY WARRANT
16 ISSUED UNDER § 8-401(F)(1)(I), § 8-402(B)(2)(I) OR (V), OR § 8-402.1(B) OF THIS
17 ARTICLE OR § 14-132(F) OR (I) OF THIS TITLE.

18 14-706.

19 (A) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, WHEN
20 POSSESSION OF REAL PROPERTY IS DELIVERED TO A LANDLORD OR COMPLAINANT
21 FOLLOWING AN ACTION ~~DESCRIBED IN § 14-705 OF THIS SUBTITLE~~ UNDER § 8-401,
22 § 8-402, OR § 8-402.1 OF THIS ARTICLE OR § 14-132 OF THIS TITLE, THE SHERIFF,
23 CONSTABLE, OR OTHER OFFICIAL SHALL:

24 (I) IMMEDIATELY INSPECT THE PREMISES FOR ANY PET; AND

25 (II) PROVIDE TO THE TENANT OR PERSON WHO WAS HOLDING
26 POSSESSION OF THE REAL PROPERTY ANY PET ON THE PREMISES BELONGING TO
27 THE TENANT OR PERSON WHO WAS HOLDING POSSESSION OF THE REAL PROPERTY.

28 (2) IF THE TENANT OR PERSON WHO WAS HOLDING POSSESSION OF
29 REAL PROPERTY IS NOT PRESENT AT THE TIME THE REAL PROPERTY IS DELIVERED
30 TO A LANDLORD OR COMPLAINANT, THE SHERIFF, CONSTABLE, OR OTHER OFFICIAL
31 SHALL:

1 (I) CONTACT AN ANIMAL SHELTER OR ANIMAL RESCUE
2 ORGANIZATION TO TAKE CUSTODY OF THE PET;

3 (II) PROVIDE THE TENANT OR PERSON WHO WAS HOLDING
4 POSSESSION OF THE REAL PROPERTY WITH THE NAME AND CONTACT INFORMATION
5 OF THE ANIMAL SHELTER OR ANIMAL RESCUE ORGANIZATION WHERE THE PET IS
6 TAKEN; AND

7 (III) PROVIDE THE ANIMAL SHELTER OR ANIMAL RESCUE
8 ORGANIZATION WITH THE NAME AND CONTACT INFORMATION, INCLUDING THE
9 TELEPHONE NUMBER IF AVAILABLE, OF THE TENANT OR PERSON WHO WAS
10 HOLDING POSSESSION OF THE REAL PROPERTY FROM WHICH THE PET WAS TAKEN.

11 (B) A PERSON MAY NOT REMOVE A PET FROM REAL PROPERTY DELIVERED
12 TO A LANDLORD OR COMPLAINANT FOLLOWING AN ACTION ~~DESCRIBED IN § 14-705~~
13 ~~OF THIS SUBTITLE UNDER § 8-401, § 8-402, OR § 8-402.1 OF THIS ARTICLE OR §~~
14 14-132 OF THIS TITLE AND LEAVE THE PET ON PUBLIC PROPERTY OR A PUBLIC
15 RIGHT-OF-WAY.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
17 1, 2022.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.