

HOUSE BILL 1420

E1

2lr3184
CF SB 672

By: **Delegate Lehman**

Introduced and read first time: February 17, 2022

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Animal Abuse or Neglect – Penalties**

3 FOR the purpose of establishing increased penalties for the abuse or neglect of an animal
4 if the abuse or neglect results in the death or euthanasia of the animal; authorizing
5 the court, as a condition of sentencing a certain defendant, to prohibit the defendant
6 from owning, possessing, or residing with an animal for a certain period of time; and
7 generally relating to animal abuse and neglect.

8 BY repealing and reenacting, with amendments,
9 Article – Criminal Law
10 Section 10–604
11 Annotated Code of Maryland
12 (2021 Replacement Volume and 2021 Supplement)

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

15 **Article – Criminal Law**

16 10–604.

17 (a) A person may not:

18 (1) overdrive or overload an animal;

19 (2) deprive an animal of necessary sustenance;

20 (3) inflict unnecessary suffering or pain on an animal;

21 (4) cause, procure, or authorize an act prohibited under item (1), (2), or (3)
22 of this subsection; or

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (5) if the person has charge or custody of an animal, as owner or otherwise,
2 unnecessarily fail to provide the animal with:

3 (i) nutritious food in sufficient quantity;

4 (ii) necessary veterinary care;

5 (iii) proper drink;

6 (iv) proper air;

7 (v) proper space;

8 (vi) proper shelter; or

9 (vii) proper protection from the weather.

10 (b) (1) A person who violates this section is guilty of a misdemeanor and on
11 conviction is subject to:

12 (I) FOR A VIOLATION THAT DOES NOT RESULT IN THE DEATH OF
13 AN ANIMAL OR THE NEED TO EUTHANIZE THE ANIMAL BASED ON THE
14 RECOMMENDATION OF A LICENSED VETERINARIAN, imprisonment not exceeding 90
15 days or a fine not exceeding \$1,000 or both; OR

16 (II) FOR A VIOLATION OF THIS SECTION THAT RESULTS IN THE
17 DEATH OF AN ANIMAL OR THE NEED TO EUTHANIZE THE ANIMAL BASED ON THE
18 RECOMMENDATION OF A LICENSED VETERINARIAN, IMPRISONMENT NOT
19 EXCEEDING 3 YEARS OR A FINE NOT EXCEEDING \$5,000 OR BOTH.

20 (2) As a condition of sentencing OF A DEFENDANT CONVICTED OF
21 VIOLATING THIS SECTION, the court may:

22 (I) order [a] THE defendant [convicted of violating this section] to:

23 [(i)] 1. participate in and pay for psychological counseling; and

24 [(ii)] 2. pay, in addition to any other fines and costs, all reasonable
25 costs incurred in removing, housing, treating, or euthanizing an animal confiscated from
26 the defendant; AND

27 (II) PROHIBIT THE DEFENDANT FROM OWNING, POSSESSING, OR
28 RESIDING WITH AN ANIMAL FOR A PERIOD OF TIME DETERMINED BY THE COURT.

1 (3) As a condition of probation, the court may prohibit a defendant from
2 owning, possessing, or residing with an animal **FOR A PERIOD OF TIME DETERMINED BY**
3 **THE COURT.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2022.