

HOUSE BILL 102

N1
HB 1064/22 – ENT

(PRE-FILED)

3lr0744
CF SB 279

By: ~~Delegate Stein~~ **Delegates Stein, Addison, Allen, Barve, Boyce, Ciliberti, Foley, Guyton, Healey, Holmes, Lehman, J. Long, Love, Nawrocki, Ruth, Stewart, Terrasa, and Ziegler**

Requested: November 10, 2022

Introduced and read first time: January 11, 2023

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 25, 2023

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 any other loss of possession of real property; requiring the fact sheet to be
6 published in a certain manner; requiring a landlord to provide ~~information about a~~
7 link to the fact sheet at the execution of a lease under certain circumstances;
8 requiring the Maryland Judiciary to provide ~~information about a link to~~ the fact
9 sheet when issuing certain warrants; requiring a sheriff, a constable, or any other
10 official, under certain circumstances, to return a pet to a tenant or certain other
11 person or to contact an animal shelter or a rescue organization and provide certain
12 notice; prohibiting the leaving of a pet on public property; and generally relating to
13 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 2022 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 14–801 through 14–806 to be under the new subtitle “Subtitle 8. Pet
2 Protections”
3 Annotated Code of Maryland
4 (2015 Replacement Volume and 2022 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 8. PET PROTECTIONS.**

24 **14–801.**

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 14-802.

5 THIS SUBTITLE APPLIES TO AN ACTION FOR POSSESSION OF REAL PROPERTY
6 FILED ON OR AFTER NOVEMBER 1, 2023, 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 14-803.

12 (A) BY OCTOBER 1, 2023, 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 14-804.

23 ON OR AFTER NOVEMBER 1, 2023, AT THE EXECUTION OF A LEASE, THE
24 LANDLORD SHALL INCLUDE WITH THE LEASE A ~~DESCRIPTION OF~~ LINK TO THE FACT
25 SHEET PUBLISHED ON THE DEPARTMENT OF AGRICULTURE'S WEBSITE UNDER §
26 14-803 OF THIS SUBTITLE ~~AND WHERE THE FACT SHEET IS LOCATED ON THE~~
27 ~~DEPARTMENT OF AGRICULTURE'S WEBSITE~~ IF THE LANDLORD KNOWS THAT A
28 TENANT POSSESSES A PET.

29 14-805.

1 BEGINNING NOVEMBER 1, 2023, THE MARYLAND JUDICIARY SHALL INCLUDE
2 ~~A DESCRIPTION OF LINK TO THE FACT SHEET PUBLISHED ON THE DEPARTMENT OF~~
3 ~~AGRICULTURE'S WEBSITE UNDER § 14-803 OF THIS SUBTITLE AND WHERE THE~~
4 ~~FACT SHEET IS LOCATED ON THE DEPARTMENT OF AGRICULTURE'S WEBSITE~~ WITH
5 ANY WARRANT ISSUED UNDER § 8-401(F)(1)(I), § 8-402(B)(2)(I) OR (V), OR §
6 8-402.1(B) OF THIS ARTICLE OR § 14-132(F) OR (I) OF THIS TITLE.

7 14-806.

8 (A) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, WHEN
9 POSSESSION OF REAL PROPERTY IS DELIVERED TO A LANDLORD OR COMPLAINANT
10 FOLLOWING AN ACTION UNDER § 8-401, § 8-402, OR § 8-402.1 OF THIS ARTICLE OR
11 § 14-132 OF THIS TITLE, THE SHERIFF, CONSTABLE, OR OTHER OFFICIAL SHALL:

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

13 (II) PROVIDE TO THE TENANT OR PERSON WHO WAS HOLDING
14 POSSESSION OF THE REAL PROPERTY ANY PET ON THE PREMISES BELONGING TO
15 THE TENANT OR PERSON WHO WAS HOLDING POSSESSION OF THE REAL PROPERTY.

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

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

22 (II) PROVIDE THE TENANT OR PERSON WHO WAS HOLDING
23 POSSESSION OF THE REAL PROPERTY WITH THE NAME AND CONTACT INFORMATION
24 OF THE ANIMAL SHELTER OR ANIMAL RESCUE ORGANIZATION WHERE THE PET IS
25 TAKEN; AND

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

30 (B) A PERSON MAY NOT REMOVE A PET FROM REAL PROPERTY DELIVERED
31 TO A LANDLORD OR COMPLAINANT FOLLOWING AN ACTION UNDER § 8-401, § 8-402,
32 OR § 8-402.1 OF THIS ARTICLE OR § 14-132 OF THIS TITLE AND LEAVE THE PET ON
33 PUBLIC PROPERTY OR A PUBLIC RIGHT-OF-WAY.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
2 1, 2023.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.