

HOUSE BILL 89

E2
HB 667/24 – JUD

(PRE-FILED)

51r0999
CF SB 152

By: **Delegate Embry**

Requested: September 29, 2024

Introduced and read first time: January 8, 2025

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Crimes Relating to Animals – Conviction and Sentencing**

3 FOR the purpose of establishing that certain crimes relating to animals do not apply to
4 certain activities; establishing that each animal harmed in a violation of a
5 prohibition against animal cruelty is a separate offense and shall be deemed an
6 individual victim for purposes of the sentencing guidelines stacking rule;
7 establishing that a conviction for a crime relating to animals may not merge with a
8 conviction for any other crime based on the act establishing the violation and that a
9 sentence imposed may be separate from and consecutive to or concurrent with a
10 sentence based on the act establishing a violation; and generally relating to crimes
11 relating to animals.

12 BY repealing and reenacting, with amendments,
13 Article – Criminal Law
14 Section 10–603
15 Annotated Code of Maryland
16 (2021 Replacement Volume and 2024 Supplement)

17 BY adding to
18 Article – Criminal Law
19 Section 10–627
20 Annotated Code of Maryland
21 (2021 Replacement Volume and 2024 Supplement)

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

24 **Article – Criminal Law**

25 10–603.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Sections 10–601 through 10–608 and 10–626 of this subtitle do not apply to:

2 (1) customary and normal veterinary and agricultural husbandry practices
3 including dehorning, castration, tail docking, and limit feeding;

4 (2) research conducted in accordance with protocols approved by an animal
5 care and use committee, as required under the federal Animal Welfare Act or the federal
6 Health Research Extension Act;

7 (3) an activity that may cause unavoidable physical pain to an animal[,
8 including food processing, pest elimination, animal training, and hunting,] if the person
9 performing the activity uses the most humane method reasonably available, **INCLUDING:**

10 (I) **FOOD PROCESSING;**

11 (II) **PEST ELIMINATION;**

12 (III) **ANIMAL TRAINING; AND**

13 (IV) **ANY HUNTING OR FISHING ACTIVITY COMPLETED IN**
14 **ACCORDANCE WITH TITLE 4 OR TITLE 10 OF THE NATURAL RESOURCES ARTICLE**
15 **OR ANY REGULATIONS ADOPTED UNDER THOSE TITLES; or**

16 (4) normal human activities in which the infliction of pain to an animal is
17 purely incidental and unavoidable.

18 **10–627.**

19 (A) **FOR THE PURPOSES OF THIS SUBTITLE, EACH ANIMAL HARMED IN A**
20 **VIOLATION OF THIS SUBTITLE IS A SEPARATE OFFENSE AND SHALL BE DEEMED AN**
21 **INDIVIDUAL VICTIM FOR PURPOSES OF THE SENTENCING GUIDELINES STACKING**
22 **RULE.**

23 (B) **NOTWITHSTANDING ANY OTHER LAW, A CONVICTION UNDER THIS**
24 **SUBTITLE MAY NOT MERGE WITH A CONVICTION FOR ANY OTHER CRIME BASED ON**
25 **THE ACT ESTABLISHING THE VIOLATION OF THIS SUBTITLE.**

26 (C) **A SENTENCE IMPOSED UNDER THIS SUBTITLE MAY BE SEPARATE FROM**
27 **AND CONSECUTIVE TO OR CONCURRENT WITH A SENTENCE FOR ANY CRIME BASED**
28 **ON THE ACT ESTABLISHING THE VIOLATION OF THIS SUBTITLE.**

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 2025.