

SENATE BILL 152

E2
SB 17/24 – JPR

(PRE-FILED)

5lr0998
CF HB 89

By: **Senator West**

Requested: September 29, 2024

Introduced and read first time: January 8, 2025

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: February 16, 2025

CHAPTER _____

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)

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

3 **Article – Criminal Law**

4 10–603.

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

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

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

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

14 **(I) FOOD PROCESSING;**

15 **(II) PEST ELIMINATION;**

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

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

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

22 **10–627.**

23 **(A) FOR THE PURPOSES OF THIS SUBTITLE, EACH ANIMAL HARMED IN A**
24 **VIOLATION OF THIS SUBTITLE IS A SEPARATE OFFENSE AND SHALL BE DEEMED AN**
25 **INDIVIDUAL VICTIM FOR PURPOSES OF THE SENTENCING GUIDELINES STACKING**
26 **RULE.**

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

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.