

Chapter 401

(Senate Bill 360)

AN ACT concerning

Criminal Law – Emergency Response Animal – Prohibited Actions Against

FOR the purpose of repealing the prohibition against intentionally inflicting bodily harm, permanent disability, or death on an animal owned or used by a law enforcement unit; prohibiting a person from harassing, interfering with, injuring, or killing or causing serious physical injury to an emergency response animal; and generally relating to law enforcement animals.

BY repealing and reenacting, with amendments,
 Article – Criminal Law
 Section 10–606
 Annotated Code of Maryland
 (2021 Replacement Volume and 2025 Supplement)

BY adding to
 Article – Criminal Law
 Section 10–606.1
 Annotated Code of Maryland
 (2021 Replacement Volume and 2025 Supplement)

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

Article – Criminal Law

10–606.

- (a) (1) In this section, “sexual contact with an animal” means any act:
- (i) involving:
1. a person touching the sex organ or anus of an animal;
 2. contact between:
 - A. the sex organ or anus of a person and the mouth, sex organ, or anus of an animal; or
 - B. the sex organ or anus of an animal, and the mouth, sex organ, or anus of a person; or

3. insertion of:
 - A. any part of the body of a person into the opening of the vagina or anus of an animal;
 - B. any part of an animal's body into the opening of the vagina or anus of a person; or
 - C. any object into the opening of the vagina or anus of an animal; and
 - (ii) committed for the purpose of sexual arousal, sexual gratification, abuse, or financial gain.
- (2) "Sexual contact with an animal" does not include:
- (i) an accepted veterinary practice;
 - (ii) artificial insemination of an animal for reproductive purposes;
 - (iii) accepted animal husbandry practices, including:
 1. grooming;
 2. raising;
 3. breeding;
 4. assisting with the birthing process; or
 5. any other activity that provides care for an animal; or
 - (iv) generally accepted practices relating to the judging of breed confirmation.
- (b) A person may not:
- (1) intentionally:
 - (i) mutilate an animal;
 - (ii) torture an animal;
 - (iii) cruelly beat an animal;
 - (iv) cruelly kill an animal; or

(v) engage in sexual contact with an animal; **OR**

(2) cause, procure, or authorize an act prohibited under item (1) of this subsection]; or

(3) except in the case of self-defense, intentionally inflict bodily harm, permanent disability, or death on an animal owned or used by a law enforcement unit].

(c) (1) A person who violates this section is guilty of the felony of aggravated cruelty to animals and on conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding \$5,000 or both.

(2) As a condition of sentencing, the court may:

(i) order a defendant convicted of violating this section to:

1. participate in and pay for psychological counseling; and

2. pay, in addition to any other fines and costs, all reasonable costs incurred in removing, housing, treating, or euthanizing an animal confiscated from the defendant; and

(ii) prohibit a defendant from owning, possessing, or residing with an animal for a specified period of time.

10-606.1.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “EMERGENCY RESPONSE ANIMAL” MEANS:

(I) A DOG USED BY A LAW ENFORCEMENT UNIT IN THE STATE THAT IS TRAINED FOR LAW ENFORCEMENT WORK AND IS SUBJECT TO THE CONTROL OF A LAW ENFORCEMENT OFFICER WHO HAS COMPLETED HANDLER TRAINING IN ACCORDANCE WITH THE POLICIES OF THE LAW ENFORCEMENT UNIT THAT EMPLOYS THE OFFICER;

(II) A HORSE USED BY A LAW ENFORCEMENT UNIT IN THE STATE FOR LAW ENFORCEMENT WORK; ~~OR~~

(III) A SEARCH AND RESCUE DOG TRAINED FOR OR ENGAGED IN AN EFFORT DIRECTED BY A STATE AGENCY OR A POLITICAL SUBDIVISION OF THE STATE TO LOCATE OR RESCUE A LOST, INJURED, OR DECEASED INDIVIDUAL; OR

(IV) A HORSE USED IN A SEARCH AND RESCUE EFFORT DIRECTED BY A STATE AGENCY OR A POLITICAL SUBDIVISION OF THE STATE TO LOCATE OR RESCUE A LOST, INJURED, OR DECEASED INDIVIDUAL.

(3) "LAW ENFORCEMENT UNIT" HAS THE SAME MEANING STATED IN § 10-101 OF THE CRIMINAL PROCEDURE ARTICLE.

~~(3)~~ (4) "SERIOUS PHYSICAL INJURY" MEANS PHYSICAL INJURY THAT CAUSES PERMANENT OR PROTRACTED:

(I) DISFIGUREMENT;

(II) LOSS OF THE FUNCTION OF ANY BODILY MEMBER OR ORGAN; OR

(III) IMPAIRMENT OF THE FUNCTION OF ANY BODILY MEMBER OR ORGAN.

(B) (1) A PERSON MAY NOT INTENTIONALLY HARASS OR INTERFERE WITH AN EMERGENCY RESPONSE ANIMAL DURING THE LAWFUL PERFORMANCE OF THE EMERGENCY RESPONSE ANIMAL'S DUTIES.

(2) A PERSON MAY NOT INTENTIONALLY INJURE AN EMERGENCY RESPONSE ANIMAL.

(3) A PERSON MAY NOT VIOLATE PARAGRAPH (1) OR (2) OF THIS SUBSECTION DURING THE COMMISSION OF A CRIME.

(4) A PERSON MAY NOT INTENTIONALLY KILL OR CAUSE SERIOUS PHYSICAL INJURY TO AN EMERGENCY RESPONSE ANIMAL.

(C) (1) A PERSON WHO VIOLATES SUBSECTION (B)(1) OR (2) OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$5,000 OR BOTH.

(2) A PERSON WHO VIOLATES SUBSECTION (B)(3) OR (B)(4) OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 2 YEARS OR A FINE NOT EXCEEDING ~~\$15,000~~ \$10,000 OR BOTH.

~~(3) A PERSON WHO VIOLATES SUBSECTION (B)(4) OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 5 YEARS OR A FINE NOT EXCEEDING \$10,000 OR BOTH.~~

~~(D) A SENTENCE IMPOSED UNDER THIS SECTION MAY BE IMPOSED SEPARATE FROM AND CONSECUTIVE TO OR CONCURRENT WITH A SENTENCE FOR ANY CRIME BASED ON THE ACT ESTABLISHING THE VIOLATION OF THIS SECTION.~~

~~(E) (D) (1) NOTHING IN THIS SECTION PROHIBITS A DEFENDANT FROM ASSERTING THE DEFENSE OF NECESSITY OR SELF-DEFENSE TO A CHARGE OF VIOLATING THIS SECTION.~~

(2) IT IS AN AFFIRMATIVE DEFENSE TO A CHARGE OF VIOLATING THIS SECTION THAT THE DEFENDANT ACTED REASONABLY TO PREVENT PHYSICAL HARM RESULTING FROM A VIOLATION OF THE MARYLAND USE OF FORCE STATUTE UNDER § 3-572 OF THE PUBLIC SAFETY ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2026.

Approved by the Governor, May 12, 2026.