

HOUSE BILL 563

E1

(6lr0899)

ENROLLED BILL

— Judiciary/Judicial Proceedings —

Introduced by Delegates Behler ~~and Cardin~~, Cardin, Valentine, Phillips, Stinnett, Simmons, McComas, Moreno, Arikan, Mangione, Moon, Conaway, and Woods

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Criminal Law – Emergency Response Animal – Prohibited Actions Against**

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

8 BY repealing and reenacting, with amendments,
9 Article – Criminal Law
10 Section 10–606
11 Annotated Code of Maryland
12 (2021 Replacement Volume and 2025 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.

Italics indicate opposite chamber/conference committee amendments.



1 BY adding to
 2 Article – Criminal Law
 3 Section 10–606.1
 4 Annotated Code of Maryland
 5 (2021 Replacement Volume and 2025 Supplement)

6 ~~BY repealing and reenacting, without amendments,~~
 7 ~~Article – Criminal Procedure~~
 8 ~~Section 10–101(a) and (g)~~
 9 ~~Annotated Code of Maryland~~
 10 ~~(2025 Replacement Volume)~~

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

13 **Article – Criminal Law**

14 10–606.

15 (a) (1) In this section, “sexual contact with an animal” means any act:

16 (i) involving:

17 1. a person touching the sex organ or anus of an animal;

18 2. contact between:

19 A. the sex organ or anus of a person and the mouth, sex
 20 organ, or anus of an animal; or

21 B. the sex organ or anus of an animal, and the mouth, sex
 22 organ, or anus of a person; or

23 3. insertion of:

24 A. any part of the body of a person into the opening of the
 25 vagina or anus of an animal;

26 B. any part of an animal’s body into the opening of the vagina
 27 or anus of a person; or

28 C. any object into the opening of the vagina or anus of an
 29 animal; and

30 (ii) committed for the purpose of sexual arousal, sexual gratification,
 31 abuse, or financial gain.

- 1 (2) “Sexual contact with an animal” does not include:
- 2 (i) an accepted veterinary practice;
- 3 (ii) artificial insemination of an animal for reproductive purposes;
- 4 (iii) accepted animal husbandry practices, including:
- 5 1. grooming;
- 6 2. raising;
- 7 3. breeding;
- 8 4. assisting with the birthing process; or
- 9 5. any other activity that provides care for an animal; or
- 10 (iv) generally accepted practices relating to the judging of breed
11 confirmation.

12 (b) A person may not:

- 13 (1) intentionally:
- 14 (i) mutilate an animal;
- 15 (ii) torture an animal;
- 16 (iii) cruelly beat an animal;
- 17 (iv) cruelly kill an animal; or
- 18 (v) engage in sexual contact with an animal; **OR**
- 19 (2) cause, procure, or authorize an act prohibited under item (1) of this
20 subsection]; or
- 21 (3) except in the case of self–defense, intentionally inflict bodily harm,
22 permanent disability, or death on an animal owned or used by a law enforcement unit].

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

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

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

3 1. participate in and pay for psychological counseling; and

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

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

9 **10-606.1.**

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

12 (2) "EMERGENCY RESPONSE ANIMAL" MEANS:

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

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

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

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

26 (3) "LAW ENFORCEMENT UNIT" HAS THE MEANING STATED IN §
27 10-101 OF THE CRIMINAL PROCEDURE ARTICLE; ~~OR~~

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

1 ~~(3) "LAW ENFORCEMENT UNIT" HAS THE MEANING STATED IN §~~
 2 ~~10-101 OF THE CRIMINAL PROCEDURE ARTICLE.~~

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

5 (I) DISFIGUREMENT;

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

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

10 (B) ~~(1)~~ (1) ~~A EXCEPT IN THE CASE OF SELF DEFENSE, A~~ A PERSON MAY
 11 NOT:

12 ~~(1)~~ INTENTIONALLY HARASS OR INTERFERE WITH AN EMERGENCY
 13 RESPONSE ANIMAL DURING THE LAWFUL PERFORMANCE OF THE EMERGENCY
 14 RESPONSE ANIMAL'S DUTIES.

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

17 (3) ~~A PERSON MAY NOT~~ A PERSON MAY NOT VIOLATE PARAGRAPH
 18 ~~ITEM PARAGRAPH~~ (1) OR (2) OF THIS SUBSECTION DURING THE COMMISSION OF A
 19 CRIME; ~~OR.~~

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

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

26 (2) A PERSON WHO VIOLATES SUBSECTION (B)(3) OR (4) OF THIS
 27 SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO
 28 IMPRISONMENT NOT EXCEEDING 2 YEARS OR A FINE NOT EXCEEDING ~~\$15,000~~
 29 \$10,000 OR BOTH.

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

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

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

10 (2) IT IS AN AFFIRMATIVE DEFENSE TO A CHARGE OF VIOLATING THIS
11 SECTION THAT THE DEFENDANT ACTED REASONABLY TO PREVENT PHYSICAL HARM
12 RESULTING FROM A VIOLATION OF THE MARYLAND USE OF FORCE STATUTE UNDER
13 § 3-524 OF THE PUBLIC SAFETY ARTICLE.

14 ~~Article Criminal Procedure~~

15 ~~10-101.~~

16 ~~(a) In this subtitle the following words have the meanings indicated.~~

17 ~~(g) "Law enforcement unit" means a State, county, or municipal police~~
18 ~~department or unit, the office of a sheriff, the office of a State's Attorney, the Office of the~~
19 ~~State Prosecutor, or the Office of the Attorney General of the State.~~

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.