

SENATE BILL 360

E1

(6lr2682)

ENROLLED BILL

— Judicial Proceedings/Judiciary —

Introduced by ~~Senator Henson~~ Senators Henson, Smith, Waldstreicher, West, McKay, Love, and Charles

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.

President.

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

8 **Article – Criminal Law**

9 10–606.

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

11 (i) involving:

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

13 2. contact between:

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

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

18 3. insertion of:

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

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

23 C. any object into the opening of the vagina or anus of an
24 animal; and

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

27 (2) “Sexual contact with an animal” does not include:

28 (i) an accepted veterinary practice;

29 (ii) artificial insemination of an animal for reproductive purposes;

- 1 (iii) accepted animal husbandry practices, including:
- 2 1. grooming;
- 3 2. raising;
- 4 3. breeding;
- 5 4. assisting with the birthing process; or
- 6 5. any other activity that provides care for an animal; or
- 7 (iv) generally accepted practices relating to the judging of breed
8 confirmation.

9 (b) A person may not:

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

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

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

- 24 (i) order a defendant convicted of violating this section to:
- 25 1. participate in and pay for psychological counseling; and

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

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

6 **10-606.1.**

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

9 (2) “EMERGENCY RESPONSE ANIMAL” MEANS:

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

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

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

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

23 (3) “LAW ENFORCEMENT UNIT” HAS THE SAME MEANING STATED IN §
24 10-101 OF THE CRIMINAL PROCEDURE ARTICLE.

25 ~~(3)~~ (4) “SERIOUS PHYSICAL INJURY” MEANS PHYSICAL INJURY
26 THAT CAUSES PERMANENT OR PROTRACTED:

27 (I) DISFIGUREMENT;

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

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

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

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

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

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

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

14 (2) A PERSON WHO VIOLATES SUBSECTION (B)(3) OR (B)(4) OF THIS
15 SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO
16 IMPRISONMENT NOT EXCEEDING 2 YEARS OR A FINE NOT EXCEEDING ~~\$15,000~~
17 \$10,000 OR BOTH.

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

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

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

27 (2) IT IS AN AFFIRMATIVE DEFENSE TO A CHARGE OF VIOLATING THIS
28 SECTION THAT THE DEFENDANT ACTED REASONABLY TO PREVENT PHYSICAL HARM
29 RESULTING FROM A VIOLATION OF THE MARYLAND USE OF FORCE STATUTE UNDER
30 § 3-572 OF THE PUBLIC SAFETY ARTICLE.

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