

**SB 85 Animal Abuse Penalties -- FAVORABLE.pdf**

Uploaded by: KIMBERLY EGAN

Position: FAV



MARYLAND  
**HORSE**  
COUNCIL

P.O. Box 606 | Lisbon, Maryland 21797  
[www.mdhorsecouncil.org](http://www.mdhorsecouncil.org)

*One Common Bond: The Horse*  
*One Common Voice: The Horse Council*

Testimony of the Maryland Horse Council on SB 85

Criminal Law – Animal Abuse or Neglect – Penalties

**FAVORABLE**

---

The Maryland Horse Council (MHC) is a membership-based trade association that represents the state-wide horse industry in Maryland. Our members include horse farms; horse related businesses; equestrian competitors; trainers; individual enthusiasts; equine-assisted therapy programs; and breed, interest, and discipline associations. We represent over 30,000 Marylanders who make their living with horses, or who just own and love them.

Animal cruelty is the highest legislative priority for our members. Horse ownership comes with a moral and ethical obligation to provide one's horse with the best quality of life possible. It also comes with the obligation to move one's horse to a better home if one is no longer able to provide sufficient care. MHC feels sufficiently strongly about this issue that we developed the Guide to Minimum Standards of Care for Equines, which is used in cruelty and neglect cases in Maryland and around the United States.

Horse owners who abuse and neglect their horses so severely that the horse dies as a result have breached their obligations to the animal to an unforgiveable degree. We support any efforts to punish such defendants severely.

We urge a favorable report on SB 85.

Respectfully submitted,

**THE MARYLAND HORSE COUNCIL**  
(844) MDHORSE (844-634-6773)  
[Info@mdhorsecouncil.org](mailto:Info@mdhorsecouncil.org)

**SB 85 Animal Abuse Penalties -- FAVORABLE.pdf**

Uploaded by: KIMBERLY EGAN

Position: FAV



MARYLAND  
**HORSE**  
COUNCIL

P.O. Box 606 | Lisbon, Maryland 21797  
[www.mdhorsecouncil.org](http://www.mdhorsecouncil.org)

*One Common Bond: The Horse*  
*One Common Voice: The Horse Council*

Testimony of the Maryland Horse Council on SB 85

Criminal Law – Animal Abuse or Neglect – Penalties

**FAVORABLE**

---

The Maryland Horse Council (MHC) is a membership-based trade association that represents the state-wide horse industry in Maryland. Our members include horse farms; horse related businesses; equestrian competitors; trainers; individual enthusiasts; equine-assisted therapy programs; and breed, interest, and discipline associations. We represent over 30,000 Marylanders who make their living with horses, or who just own and love them.

Animal cruelty is the highest legislative priority for our members. Horse ownership comes with a moral and ethical obligation to provide one's horse with the best quality of life possible. It also comes with the obligation to move one's horse to a better home if one is no longer able to provide sufficient care. MHC feels sufficiently strongly about this issue that we developed the Guide to Minimum Standards of Care for Equines, which is used in cruelty and neglect cases in Maryland and around the United States.

Horse owners who abuse and neglect their horses so severely that the horse dies as a result have breached their obligations to the animal to an unforgiveable degree. We support any efforts to punish such defendants severely.

We urge a favorable report on SB 85.

Respectfully submitted,

**THE MARYLAND HORSE COUNCIL**  
(844) MDHORSE (844-634-6773)  
[Info@mdhorsecouncil.org](mailto:Info@mdhorsecouncil.org)

**SB 85 Animal Abuse Penalties -- FAVORABLE.pdf**

Uploaded by: KIMBERLY EGAN

Position: FAV



MARYLAND  
**HORSE**  
COUNCIL

P.O. Box 606 | Lisbon, Maryland 21797  
[www.mdhorsecouncil.org](http://www.mdhorsecouncil.org)

*One Common Bond: The Horse*  
*One Common Voice: The Horse Council*

Testimony of the Maryland Horse Council on SB 85

Criminal Law – Animal Abuse or Neglect – Penalties

**FAVORABLE**

---

The Maryland Horse Council (MHC) is a membership-based trade association that represents the state-wide horse industry in Maryland. Our members include horse farms; horse related businesses; equestrian competitors; trainers; individual enthusiasts; equine-assisted therapy programs; and breed, interest, and discipline associations. We represent over 30,000 Marylanders who make their living with horses, or who just own and love them.

Animal cruelty is the highest legislative priority for our members. Horse ownership comes with a moral and ethical obligation to provide one's horse with the best quality of life possible. It also comes with the obligation to move one's horse to a better home if one is no longer able to provide sufficient care. MHC feels sufficiently strongly about this issue that we developed the Guide to Minimum Standards of Care for Equines, which is used in cruelty and neglect cases in Maryland and around the United States.

Horse owners who abuse and neglect their horses so severely that the horse dies as a result have breached their obligations to the animal to an unforgiveable degree. We support any efforts to punish such defendants severely.

We urge a favorable report on SB 85.

Respectfully submitted,

**THE MARYLAND HORSE COUNCIL**  
(844) MDHORSE (844-634-6773)  
[Info@mdhorsecouncil.org](mailto:Info@mdhorsecouncil.org)

**SB 85 Animal Abuse Penalties -- FAVORABLE.pdf**

Uploaded by: KIMBERLY EGAN

Position: FAV



MARYLAND  
**HORSE**  
COUNCIL

P.O. Box 606 | Lisbon, Maryland 21797  
[www.mdhorsecouncil.org](http://www.mdhorsecouncil.org)

*One Common Bond: The Horse*  
*One Common Voice: The Horse Council*

Testimony of the Maryland Horse Council on SB 85

Criminal Law – Animal Abuse or Neglect – Penalties

**FAVORABLE**

---

The Maryland Horse Council (MHC) is a membership-based trade association that represents the state-wide horse industry in Maryland. Our members include horse farms; horse related businesses; equestrian competitors; trainers; individual enthusiasts; equine-assisted therapy programs; and breed, interest, and discipline associations. We represent over 30,000 Marylanders who make their living with horses, or who just own and love them.

Animal cruelty is the highest legislative priority for our members. Horse ownership comes with a moral and ethical obligation to provide one's horse with the best quality of life possible. It also comes with the obligation to move one's horse to a better home if one is no longer able to provide sufficient care. MHC feels sufficiently strongly about this issue that we developed the Guide to Minimum Standards of Care for Equines, which is used in cruelty and neglect cases in Maryland and around the United States.

Horse owners who abuse and neglect their horses so severely that the horse dies as a result have breached their obligations to the animal to an unforgiveable degree. We support any efforts to punish such defendants severely.

We urge a favorable report on SB 85.

Respectfully submitted,

**THE MARYLAND HORSE COUNCIL**  
(844) MDHORSE (844-634-6773)  
[Info@mdhorsecouncil.org](mailto:Info@mdhorsecouncil.org)



**SB 85 - MoCo\_Morningstar\_FAV (GA 23).pdf**

Uploaded by: Sara Morningstar

Position: FAV



# Montgomery County

## Office of Intergovernmental Relations

---

ROCKVILLE: 240-777-6550

ANNAPOLIS: 240-777-8270

---

**SB 85**

**DATE: February 1, 2023**

**SPONSOR: Senator Kramer**

**ASSIGNED TO: Judicial Proceedings**

**CONTACT PERSON: Sara Morningstar (Sara.Morningstar@montgomerycountymd.gov)**

**MONTGOMERY COUNTY OFFICE OF ANIMAL SERVICES' POSITION: SUPPORT**

---

### **Criminal Law – Animal Abuse or Neglect – Penalties**

Senate Bill 85 increases the penalties for abusing or neglecting an animal under § 10-604 of the Criminal Law Article if the violation results in the death of an animal or the need to euthanize the animal based on the recommendation of a licensed veterinarian. The bill also allows a court to prohibit a defendant from owning, possessing, or residing with an animal as a condition of sentencing. Currently, § 10-604 violations are misdemeanor offenses and sentencing is limited to imprisonment up to 90 days and a fine of \$1,000.

This is important legislation. It strengthens animal control and a state's attorney's position when charging crimes under § 10-604, where the conditions and treatment of the animals are so detrimental to an animal's well-being that it directly causes the death or euthanasia of one or more of the animals. There are many cases around the State where this has occurred either because the animals are found to lack nutritious food, proper drink, proper air, proper space, proper protection from the weather, or where there is an unnecessary failure to prevent suffering or pain to the extent that the animal dies or must be euthanized.

Currently, because the threshold for proving "intent" under the aggravated cruelty section of the Criminal Law Article is so high, the only practical legal option available when charging individuals with severe animal neglect is under § 10-604, where the penalties for conviction are very weak. The Montgomery County State's Attorney's Office has expressed frustration with this, given the severity of some of the animal neglect cases that state's attorney's office around the State are seeing. Senate Bill 85 increases the penalties for convictions to three years in prison and a fine of \$5,000. Combined with the bill's more flexible ban on ownership for conviction of severe animal neglect, Senate Bill 85 establishes a more meaningful punishment that better aligns the crime and the punishment.

The Montgomery County Office of Animal Services supports Senate Bill 85 and would urge the Committee to adopt a favorable report.

# **SB0085-CriminalLawAnimalAbuseNeglectPenalties-Unfa**

Uploaded by: Nelda Fink

Position: UNF

## **Unfavorable – SB0085** Criminal Law – Animal Abuse or Neglect – Penalties

**Nelda Fink**  
**MD District 32**

This is overkill and doesn't include the racing industry. How many of those animals are "over-run"? And I'm sure no one ever checks on the health state of racing horses.

Specifically just because an animal needs to be euthanized shouldn't mean the person should be criminalized. Many factors go into these kinds of situations including financial crisis. If the person can no longer afford the animal, they probably cannot afford the fines either.

Plus this bill leaves the decision to some county vet to decide the fate of a person and that's wrong and unconstitutional. Where is the opportunity for the person to cure the situation? It should be a tiered process if anything.

I believe the penalties for this are far too harsh. Leave the legislation way it was.

I oppose this bill and request the Senate oppose this bill as well.

Nelda Fink