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HB 0405

SPONSOR: Delegate Foley

ASSIGNED TO: Judiciary Committee

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POSITION: SUPPORT (Montgomery County State's Attorney's Office)

House Bill 0405 - Criminal Law - Animal Abuse or Neglect - Penalties

House Bill 0405 would increase the penalty for abusing or neglecting an animal under Section 10-604 of the Criminal Law Article where the abuse or neglect results in the death of an animal or the need to euthanize an animal. As the law stands today, violations of Section 10-604 of the Criminal Law Article are misdemeanors with a penalty not exceeding 90 days incarceration and/or a fine not exceeding \$1,000.00. This bill would allow the increase of the penalty under Section 10-604 of the Criminal Law Article to imprisonment up to three years of incarceration and/or a \$5,000.00 fine for cases in which the animals die as a result of the abuse or neglect enumerated in Section 10-604.

There are cases in which the animal dies as a result of failure to provide veterinary care or failure to provide the appropriate sustenance. These violations would be covered under Section 10-604 of the Criminal Law Article. These types of violations would not rise to the level of felonious conduct enumerated under Section 10-606 (Aggravated Animal Cruelty) of the Criminal Law Article because these specific violations are not intentionally committed. House Bill 0405 would increase the penalty for a violation of Section 10-604 of the Criminal Law Article where the animal dies or is euthanized as a result.

The Montgomery County State's Attorney's Office supports House Bill 0405 and would urge the Committee to adopt a favorable report.