



Montgomery County

Office of Intergovernmental Relations

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SB 750

DATE: March 10, 2026

SPONSOR: Senators Lewis Young, Kramer, and West

ASSIGNED TO: Education, Energy, and the Environment

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POSITION: Support With Amendments (Montgomery County Office of Animal Services)

Local Government – Trap-Neuter-Return Policies for Community Cats – Requirements and Restrictions (Ash’s Law)

The Montgomery County Office of Animal Services supports Senate Bill 750 with the adoption of several critical amendments which we believe will improve the bill’s objectives to humanely manage Maryland’s community cat population.

Montgomery County is a pioneer of humane, progressive animal management that Ash’s Law seeks to champion. With a live release rate for cats that consistently exceeds 95%, one of the highest in the State, the County’s record proves that non-lethal strategies work. This has been achieved not through a single, rigid policy, but through a sophisticated, multi-faceted approach that includes robust partnerships with nonprofit Trap-Neuter-Return (TNR) organizations and the County’s own carefully managed Return to Field (RTF) program.

It is from this position of shared goals and proven success that Montgomery County Office of Animal Services submits this statement. Senate Bill 750 has the potential to be a landmark piece of legislation. However, in its current form, the bill’s rigid, one-size-fits-all mandate would dismantle the very programs that make our County a model for the State. It replaces professional discretion with a blunt instrument, creates serious legal liabilities for the citizens it aims to help, and ignores the complex realities that our officers face every day.

With the following suggested amendments, Montgomery County Office of Animal Services respectfully believes that Ash’s Law could not only be the first law of its kind in the nation but also the most effective and legally sound:

1. Preserve the Professional Discretion that Saves Lives.

- **The Problem:** The bill’s mandate to return every healthy ear-tipped cat to its original location is dangerously oversimplified. Taking away agency discretion will

place animal safety at risk, as it is not reasonable to assume all animals or the environment they come from is an appropriate placement. Our RTF program empowers our trained staff to assess each cat and its unique circumstances to determine the best, most humane outcome. This may be a return to its original colony, but it could also be placement in a new home, or relocation as a “working cat” in a barn environment through our successful barn cat program. This discretion is critical. Should we return a cat to a dilapidated property that is about to be demolished? To a hoarding situation where the caregiver is overwhelmed? To a territory where it is being attacked by other animals? The current bill would force our officers to do just that, turning a humane intention into a death sentence.

- **Amendment:** Amend the preemption clause to create a “gold standard” provision, allowing local jurisdictions with established, high-performing animal management programs to maintain the operational flexibility and professional discretion needed to ensure the best outcome for each individual animal.

2. Protect Caregivers from Unintended Criminal Liability.

- **The Problem:** As written, the bill creates a legal trap for the compassionate citizens it aims to protect. While it rightly exempts caregivers from the abandonment statute, it fails to address the far more serious conflict with Maryland’s primary animal cruelty and neglect law (Criminal Law § 10-604). That statute requires anyone with “charge or custody” of an animal to provide “necessary veterinary care” and shelter. Consider the elderly resident on a fixed income who feeds a community cat daily. If that cat develops a tooth abscess or a respiratory infection, has that resident now assumed “custody” and become criminally liable for failing to provide veterinary care they cannot afford? This legal ambiguity could have a chilling effect, forcing well-meaning residents to stop providing care for fear of prosecution.
- **Amendment:** Amend the bill to provide an explicit and targeted exemption for community cat caregivers from the “adequate care” provisions of the statute for abuse of neglect of an animal (Criminal Law § 10-604) when they are acting in accordance with an authorized TNR program. We believe that this is the single most critical amendment needed to give caregivers the legal certainty they deserve.

3. Create a Clear, Workable Definition of a “Community Cat.”

- **The Problem:** The bill fails to draw a clear line between a truly unowned community cat and a lost or roaming owned pet. Imagine an Animal Services Officer finding a friendly, ear-tipped cat. Is it a community cat that must be returned to the street under the bill’s mandate? Or is it a beloved family pet that was adopted after being ear-tipped, and whose frantic family is searching for it? The bill provides no mechanism for the officer to make this distinction, creating operational chaos and risking tragic outcomes where lost pets are not reunited with their families.
- **Amendment:** Amend the bill to create a clear, rebuttable legal presumption that a cat found outdoors without a collar, microchip, or other form of identification is a community cat. This provides a clear, objective standard for officers in the field while still allowing for an owned pet to be identified and returned home.

Montgomery County is proof that the vision behind Ash's Law is achievable. The County has done it, and the County's Office of Animal Services urges the Committee to consider adopting the suggested amendments that could transform the bill from a well-intentioned effort into a powerful, effective, and legally sound law that will serve as a model for the nation. The Montgomery County Office of Animal Services is developing specific amendment language that will be submitted to the Committee shortly.