

HOUSE BILL 80

E1

2lr1213
CF SB 102

By: **Delegates Eckardt, Cane, and Haddaway-Riccio**

Introduced and read first time: January 18, 2012

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Shelter and Weather Protection Requirement – Bison**
3 **Exemption**

4 FOR the purpose of providing that the prohibition against unnecessarily failing to
5 provide an animal with shelter or protection from the weather does not apply to
6 a person who has charge or custody of bison, as owner or otherwise; and
7 generally relating to the abuse or neglect of animals.

8 BY repealing and reenacting, with amendments,
9 Article – Criminal Law
10 Section 10–604
11 Annotated Code of Maryland
12 (2002 Volume and 2011 Supplement)

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

15 **Article – Criminal Law**

16 10–604.

17 (a) **[A] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A**
18 person may not:

- 19 (1) overdrive or overload an animal;
- 20 (2) deprive an animal of necessary sustenance;
- 21 (3) inflict unnecessary suffering or pain on an animal;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (4) cause, procure, or authorize an act prohibited under item (1), (2), or
2 (3) of this subsection; or

3 (5) if the person has charge or custody of an animal, as owner or
4 otherwise, unnecessarily fail to provide the animal with nutritious food in sufficient
5 quantity, necessary veterinary care, proper drink, air, space, shelter, or protection
6 from the weather.

7 **(B) THE PROHIBITION IN SUBSECTION (A)(5) OF THIS SECTION AGAINST**
8 **UNNECESSARILY FAILING TO PROVIDE AN ANIMAL WITH SHELTER OR**
9 **PROTECTION FROM THE WEATHER DOES NOT APPLY TO A PERSON WHO HAS**
10 **CHARGE OR CUSTODY OF BISON, AS OWNER OR OTHERWISE.**

11 **[(b)] (C)** (1) A person who violates this section is guilty of a misdemeanor
12 and on conviction is subject to imprisonment not exceeding 90 days or a fine not
13 exceeding \$1,000 or both.

14 (2) As a condition of sentencing, the court may order a defendant
15 convicted of violating this section to participate in and pay for psychological
16 counseling.

17 (3) As a condition of probation, the court may prohibit a defendant
18 from owning, possessing, or residing with an animal.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2012.