

# SENATE BILL 1010

E1, L1, L2

4lr3127  
CF 4lr2987

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By: **Senators Benson and Stone**

Introduced and read first time: February 12, 2014

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

2 **Domestic Animals – Sterilization and Life–Sustaining Care of Cats –**  
3 **Determination of Dangerousness**

4 FOR the purpose of providing that a law prohibiting a person who owns, possesses, or  
5 has custody of a domestic animal from dropping or leaving the animal on a road,  
6 in a public place, or on private property with the intent to abandon the animal  
7 does not apply to a person who is providing sterilization or life–sustaining care  
8 to a certain cat that is not owned or lacks visible owner identification; providing  
9 that a county or local government may not prohibit a person from providing  
10 sterilization or life–sustaining care to a cat that is not owned or lacks visible  
11 owner registration; providing that a county or local government may not  
12 determine that a cat is a nuisance, potentially dangerous, or dangerous solely  
13 on the grounds that the cat is not owned or lacks visible owner registration;  
14 establishing that this Act does not limit a common law cause of action or  
15 immunity; providing for the application of this Act; and generally relating to  
16 domestic animals.

17 BY repealing and reenacting, with amendments,  
18 Article – Criminal Law  
19 Section 10–612  
20 Annotated Code of Maryland  
21 (2012 Replacement Volume and 2013 Supplement)

22 BY adding to  
23 Article – Criminal Law  
24 Section 10–624  
25 Annotated Code of Maryland  
26 (2012 Replacement Volume and 2013 Supplement)

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **Article – Criminal Law**

2 10–612.

3 **(A) THIS SECTION DOES NOT APPLY TO A PERSON WHO IS PROVIDING**  
4 **STERILIZATION OR LIFE–SUSTAINING CARE TO A FERAL HOUSE CAT THAT IS NOT**  
5 **OWNED OR LACKS VISIBLE OWNER IDENTIFICATION.**

6 **[(a)] (B)** A person who owns, possesses, or has custody of a domestic animal  
7 may not drop or leave the animal on a road, in a public place, or on private property  
8 with the intent to abandon the animal.

9 **[(b)] (C)** A person who violates this section is guilty of a misdemeanor and  
10 on conviction is subject to a fine not exceeding \$100.

11 **10–624.**12 **(A) A COUNTY OR LOCAL GOVERNMENT MAY NOT:**

13 **(1) PROHIBIT A PERSON FROM PROVIDING STERILIZATION OR**  
14 **LIFE–SUSTAINING CARE TO A FERAL HOUSE CAT THAT IS NOT OWNED OR LACKS**  
15 **VISIBLE OWNER REGISTRATION; OR**

16 **(2) DETERMINE THAT A FERAL HOUSE CAT IS A NUISANCE,**  
17 **POTENTIALLY DANGEROUS, OR DANGEROUS SOLELY ON THE GROUNDS THAT**  
18 **THE CAT IS NOT OWNED OR LACKS VISIBLE OWNER REGISTRATION.**

19 **(B) THIS SECTION DOES NOT LIMIT A COMMON LAW CAUSE OF ACTION**  
20 **OR IMMUNITY.**

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be  
22 construed to apply retroactively and shall be applied to and interpreted to affect the  
23 prosecution of any person for a violation of § 10–612 of the Criminal Law Article or a  
24 county or local ordinance.

25 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 October 1, 2014.