

HOUSE BILL 114

M4

0lr1044

By: **Delegate Long**

Introduced and read first time: January 13, 2020

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Agriculture – Animal Shelters – Waiver of Adoption Fee**

3 FOR the purpose of authorizing an animal shelter to waive the adoption fee for a dog or cat
4 under certain circumstances; making conforming changes; and generally relating to
5 animal adoption fees.

6 BY repealing and reenacting, without amendments,
7 Article – Agriculture
8 Section 2–1701 through 2–1705 to be under the new part “Part I. Veterinary
9 Protocol”
10 Annotated Code of Maryland
11 (2016 Replacement Volume and 2019 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – Agriculture
14 Section 2–1706 and 2–1707
15 Annotated Code of Maryland
16 (2016 Replacement Volume and 2019 Supplement)

17 BY adding to
18 Article – Agriculture
19 Section 2–1710 to be under the new part “Part II. Adoption Fees”
20 Annotated Code of Maryland
21 (2016 Replacement Volume and 2019 Supplement)

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

24 **Article – Agriculture**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



PART I. VETERINARY PROTOCOL.

2–1701.

In this subtitle, “animal shelter” means:

(1) A county or municipal animal control facility;

(2) An organization that contracts with a county or municipality for animal control; or

(3) An organization that shelters animals and has received a grant from the Spay/Neuter Fund under Subtitle 16 of this title during the previous year.

2–1702.

(a) The General Assembly finds that animal shelters perform an integral community service.

(b) It is the intent of the General Assembly to enhance animal shelter services by promoting humane animal sheltering policies and strengthening community safety.

2–1703.

(a) On or before January 1, 2017, an animal shelter shall establish a written veterinary care protocol for dogs and cats that is consistent with guidelines set forth in the most recent Association of Shelter Veterinarians’ Guidelines for Standards of Care in Animal Shelters with respect to:

(1) Basic care;

(2) Sanitation;

(3) Population management;

(4) Disease control and prevention;

(5) Behavioral health and mental well-being; and

(6) Euthanasia.

(b) The written veterinary care protocol shall include:

(1) Standards that are necessary to protect sheltered dogs’ and cats’ health, safety, and well-being; and

(2) A plan for:

(i) Quality of life enrichment;

(ii) Veterinary care;

(iii) Prevention and control of contagious and other diseases; and

(iv) Any other health and environmental factors that materially affect sheltered dogs' and cats' health, safety, and well-being.

(c) An animal shelter may disregard its written veterinary care protocol for a dog or cat that is deemed to be too vicious or dangerous to permit safe handling.

(d) An animal shelter shall update its written veterinary care protocol as necessary to reasonably accommodate any subsequent updates to the Association of Shelter Veterinarians' Guidelines for Standards of Care in Animal Shelters.

(e) On request, an animal shelter shall make its written veterinary care protocol available to the public and the Department.

2-1704.

(a) On or before January 1, 2017, an animal shelter shall establish and make available to the public on the animal shelter's Web site or in a conspicuous location within the animal shelter's facility:

(1) A written protocol for reclaiming animals from the animal shelter that includes:

(i) The minimum holding period for stray animals;

(ii) The hours of operation during which an animal may be reclaimed by the animal's owner or caregiver;

(iii) The fees associated with reclaiming an animal; and

(iv) Any identification or documentation that must be provided to the animal shelter before an animal may be reclaimed; and

(2) An annual summary of intake and disposition data reported to the Department in accordance with § 2-1602 of this title.

(b) An animal shelter shall follow its written protocol for reclaiming animals.

2-1705.

(a) On or before January 1, 2018, the Department shall adopt minimum

standards of care for dogs and cats in animal shelters that are consistent with:

(1) The most recent Association of Shelter Veterinarians' Guidelines for Standards of Care in Animal Shelters; and

(2) The most recent guidelines for standards of care in animal shelters prepared by the Professional Animal Workers of Maryland.

(b) An animal shelter shall follow the minimum standards of care adopted by the Department.

2-1706.

On or before January 1, 2018, the Department shall adopt regulations to enforce this [subtitle] **PART**.

2-1707.

(a) A person who violates this [subtitle] **PART** is subject to a civil penalty not exceeding \$500.

(b) The criminal penalties under Title 12, Subtitle 1 of this article do not apply to this subtitle.

2-1708. RESERVED.

2-1709. RESERVED.

PART II. ADOPTION FEES.

2-1710.

AN ANIMAL SHELTER, AS DEFINED IN § 2-1701 OF THIS SUBTITLE, MAY WAIVE THE ADOPTION FEE FOR A DOG OR CAT IF THE ADOPTER:

(1) PRESENTS A VALID DRIVER'S LICENSE OR IDENTIFICATION CARD INDICATING VETERAN STATUS IN ACCORDANCE WITH § 12-302 OF THE TRANSPORTATION ARTICLE;

(2) SERVES AS A FIRST RESPONDER AS DEFINED IN § 18-213.2 OF THE HEALTH - GENERAL ARTICLE; OR

(3) REPRESENTS AN ORGANIZATION THAT TRAINS AND PROVIDES SERVICE ANIMALS FOR PERSONS WITH DISABILITIES.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2020.