

SENATE BILL 627

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CF HB 406

By: **Senators Kramer, Feldman, Patterson, and Peters**

Introduced and read first time: February 3, 2020

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Crimes – Unattended Dogs in Extreme Weather Conditions**

3 FOR the purpose of prohibiting a person from leaving a dog outside and unattended for
4 longer than a certain period without access to certain suitable shelter during certain
5 extreme weather conditions; making a certain violation a civil offense; establishing
6 certain penalties; defining certain terms; and generally relating to leaving
7 unattended dogs outside.

8 BY repealing and reenacting, with amendments,
9 Article – Criminal Law
10 Section 10–623
11 Annotated Code of Maryland
12 (2012 Replacement Volume and 2019 Supplement)

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

15 **Article – Criminal Law**

16 10–623.

17 (a) (1) In this section the following words have the meanings indicated.

18 (2) “Collar” means a device constructed of nylon, leather, or similar
19 material specifically designed to be used around the neck of a dog.

20 (3) **“EXTREME WEATHER CONDITIONS” MEANS TEMPERATURES**
21 **BELOW 32 DEGREES FAHRENHEIT OR ABOVE 90 DEGREES FAHRENHEIT, OR DURING**
22 **AN ACTIVE WEATHER WARNING ISSUED BY THE NATIONAL WEATHER SERVICE.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 ~~[(3)]~~ (4) “Restraint” means a chain, rope, tether, leash, cable, or other
2 device that attaches a dog to a stationary object or trolley system.

3 (5) (I) **“SUITABLE SHELTER” MEANS A STRUCTURE THAT:**

4 1. **IS PROPERLY VENTILATED;**

5 2. **HAS A SOLID FLOOR THAT IS RAISED OFF THE GROUND**
6 **AT LEAST 2 INCHES;**

7 3. **HAS A WEATHERPROOF ROOF;**

8 4. **HAS FOUR WALLS, ONE OF WHICH CONTAINS A**
9 **DOORWAY;**

10 5. **HAS INSULATION OR HEATING SUFFICIENT TO ALLOW**
11 **A DOG TO MAINTAIN ITS NORMAL BODY TEMPERATURE; AND**

12 6. **IS SUITABLE FOR THE SPECIES, AGE, CONDITION,**
13 **SIZE, AND TYPE OF DOG.**

14 (II) **“SUITABLE SHELTER” DOES NOT INCLUDE:**

15 1. **A CRAWL SPACE THAT IS UNDER A BUILDING OR PART**
16 **OF A BUILDING;**

17 2. **THE SPACE UNDER A VEHICLE;**

18 3. **A FLOOR CONSISTING OF WIRE OR CHAIN LINK; OR**

19 4. **A STRUCTURE MADE FROM CARDBOARD OR OTHER**
20 **MATERIALS THAT ARE EASILY DEGRADED BY THE ELEMENTS.**

21 (b) A person may not leave a dog outside and unattended by use of a restraint:

22 (1) that unreasonably limits the movement of the dog;

23 (2) that uses a collar that:

24 (i) is made primarily of metal; or

25 (ii) is not at least as large as the circumference of the dog’s neck plus
26 1 inch;

(3) that restricts the access of the dog to suitable and sufficient clean water or appropriate shelter;

(4) in unsafe or unsanitary conditions; or

(5) that causes injury to the dog.

(C) A PERSON MAY NOT LEAVE A DOG OUTSIDE AND UNATTENDED FOR LONGER THAN 30 MINUTES WITHOUT ACCESS TO CONTINUOUS SUITABLE SHELTER DURING EXTREME WEATHER CONDITIONS.

[(c)] (D) (1) A VIOLATION OF THIS SECTION IS A CIVIL OFFENSE.

(2) A person who violates this section is [guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 90 days or a fine not exceeding \$1,000 or both] SUBJECT TO:

(I) FOR A FIRST VIOLATION, A WARNING;

(II) FOR A SECOND VIOLATION, A \$500 FINE; OR

(III) FOR A THIRD OR SUBSEQUENT VIOLATION, A \$1,000 FINE.

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