

HOUSE BILL 171

E1

0lr1085
CF SB 286

By: **Delegates Guyton, Bagnall, Boyce, Buckel, Hornberger, Lehman, R. Lewis, Metzgar, Morgan, ~~and K. Young~~ K. Young, Cardin, Cox, McComas, and Pippy**

Introduced and read first time: January 15, 2020

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 7, 2020

CHAPTER _____

1 AN ACT concerning

2 **Crimes Against Animals – Interference With ~~Livestock~~ Equines**

3 FOR the purpose of ~~expanding the scope of a certain prohibition against interfering with,~~
4 ~~injuring, tampering with, or destroying a horse used for a certain purpose to prohibit~~
5 ~~a person from interfering with, injuring, tampering with, or destroying livestock used~~
6 ~~for a certain purpose or for any other lawful activity~~ altering a certain prohibition
7 against interfering with, injuring, tampering with, or destroying a horse used for a
8 certain purpose to prohibit a person from interfering with, injuring, tampering with,
9 or destroying an equine used for a certain purpose or for any other lawful activity;
10 changing the crime from a felony to a misdemeanor; altering the maximum penalty
11 to include a certain fine or certain prison sentence; providing for the application of
12 this Act; defining a certain term; and generally relating to crimes against animals.

13 ~~BY repealing and reenacting, without amendments,~~
14 ~~Article – Agriculture~~
15 ~~Section 3–301(a) and (b)~~
16 ~~Annotated Code of Maryland~~
17 ~~(2016 Replacement Volume and 2019 Supplement)~~

18 BY repealing and reenacting, with amendments,
19 Article – Criminal Law
20 Section 10–620
21 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



(2012 Replacement Volume and 2019 Supplement)

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

~~Article – Agriculture~~

~~§ 301.~~

(a) ~~In this subtitle the following words have the meanings indicated:~~

(b) ~~“Livestock” means cattle, swine, sheep, horses, asses, mules, or goats
notwithstanding any other provision of this article.~~

Article – Criminal Law

~~10–620.~~

(a) ~~IN THIS SECTION, “LIVESTOCK” HAS THE MEANING STATED IN §
301 OF THE AGRICULTURE ARTICLE.~~

(B) ~~A person may not:~~

(1) ~~willfully and maliciously interfere with, injure, destroy, or tamper with
[a horse] LIVESTOCK used for:~~

(I) ~~racine or breeding [or for];~~

(II) ~~a competitive exhibition of skill, breed, or stamina; OR~~

(III) ~~ANY OTHER LAWFUL ACTIVITY;~~

(2) ~~willfully start, instigate, engage in, or further an act that interferes
with, injures, destroys, or tampers with [a horse] LIVESTOCK used for:~~

(I) ~~racine or breeding [or for];~~

(II) ~~a competitive exhibition of skill, breed, or stamina; OR~~

(III) ~~ANY OTHER LAWFUL ACTIVITY; or~~

(3) ~~commit an act that tends to interfere with, injure, destroy, or tamper
with [a horse] LIVESTOCK used for:~~

(I) ~~racine or breeding [or for];~~

~~(H) a competitive exhibition of skill, breed, or stamina; OR~~

~~(HH) ANY OTHER LAWFUL ACTIVITY.~~

~~[(b)] (C) A person who violates this section is guilty of a felony and on conviction is subject to imprisonment of not less than 1 year and not exceeding 3 years.~~

(a) IN THIS SECTION, "EQUINE" INCLUDES HORSES, DONKEYS, MULES, AND PONIES.

(B) THIS SECTION DOES NOT APPLY TO THE OWNER OF THE EQUINE OR A PERSON ACTING ON BEHALF OF OR AT THE DIRECTION OF THE OWNER OF THE EQUINE.

(C) A person may not:

(1) willfully and maliciously interfere with, injure, destroy, or tamper with [a horse] AN EQUINE used for:

(I) racing or breeding [or for];

(II) a competitive exhibition of skill, breed, or stamina; OR

(III) ANY OTHER LAWFUL ACTIVITY;

(2) willfully start, instigate, engage in, or further an act that interferes with, injures, destroys, or tampers with [a horse] AN EQUINE used for:

(I) racing or breeding [or for];

(II) a competitive exhibition of skill, breed, or stamina; OR

(III) ANY OTHER LAWFUL ACTIVITY; or

(3) commit an act that tends to interfere with, injure, destroy, or tamper with [a horse] AN EQUINE used for:

(I) racing or breeding [or for];

(II) a competitive exhibition of skill, breed, or stamina; OR

(III) ANY OTHER LAWFUL ACTIVITY.

1 [(b)] (D) A person who violates this section is guilty of a [felony] MISDEMEANOR
2 and on conviction is subject to A FINE NOT EXCEEDING \$1,000 OR imprisonment [of not
3 less than 1 year and] not exceeding [3 years] 1 YEAR OR BOTH.

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.