

HOUSE BILL 153

E1

5lr0877

By: **Delegates Stein, Frush, Gaines, Healey, Hettleman, Lam, McMillan, Moon, Morales, Morhaim, S. Robinson, Smith, and K. Young**

Introduced and read first time: January 28, 2015

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Animal Cruelty – Leaving Dogs Outside and Unattended in**
3 **Extreme Weather**

4 FOR the purpose of prohibiting a person from leaving a dog outside and unattended by use
5 of a certain restraint for a certain period when a hazardous weather warning issued
6 by the National Weather Service is in effect for the local area; prohibiting a person
7 from leaving a dog outside and unattended by use of a certain restraint for a certain
8 period when the local temperature is above or below a certain temperature;
9 establishing penalties for a violation of this Act; and generally relating to animal
10 cruelty.

11 BY repealing and reenacting, with amendments,
12 Article – Criminal Law
13 Section 10–623
14 Annotated Code of Maryland
15 (2012 Replacement Volume and 2014 Supplement)

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

18 **Article – Criminal Law**

19 10–623.

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) "Restraint" means a chain, rope, tether, leash, cable, or other device
2 that attaches a dog to a stationary object or trolley system.

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

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

5 (2) that uses a collar that:

6 (i) is made primarily of metal; or

7 (ii) is not at least as large as the circumference of the dog's neck plus
8 1 inch;

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

11 (4) in unsafe or unsanitary conditions; [or]

12 (5) that causes injury to the dog;

13 **(6) FOR A PERIOD LONGER THAN 15 MINUTES WHEN A HAZARDOUS**
14 **WEATHER WARNING ISSUED BY THE NATIONAL WEATHER SERVICE IS IN EFFECT**
15 **FOR THE LOCAL AREA; OR**

16 **(7) FOR A PERIOD LONGER THAN 1 HOUR WHEN THE LOCAL**
17 **TEMPERATURE IS:**

18 **(I) 32 DEGREES FAHRENHEIT OR BELOW; OR**

19 **(II) 100 DEGREES FAHRENHEIT OR ABOVE.**

20 (c) **(1)** A person who violates **SUBSECTION (B)(1), (2), (3), (4), OR (5) OF**
21 **this section is guilty of a misdemeanor and on conviction is subject to imprisonment not**
22 **exceeding 90 days or a fine not exceeding \$1,000 or both.**

23 **(2) A PERSON WHO VIOLATES SUBSECTION (B)(6) OR (7) OF THIS**
24 **SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE**
25 **NOT EXCEEDING \$1,000.**

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2015.