

## CHAPTER 250

(House Bill 265)

AN ACT concerning

**Cruelty to Intentional Mutilation of Animals – Penalty**

FOR the purpose of increasing the penalty for certain ~~cruelty to animals offenses~~ acts relating to the intentional mutilation of an animal; and generally relating to the penalty for ~~cruelty to~~ intentional mutilation of animals.

BY repealing and reenacting, with amendments,

Article 27 – Crimes and Punishments

Section 59

Annotated Code of Maryland

(1992 Replacement Volume and 1993 Supplement)

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

**Article 27 – Crimes and Punishments**

59.

(A) Any person who (1) overdrives, overloads, deprives of necessary sustenance, tortures, torments, cruelly beats, ~~mutilates~~ or cruelly kills; or (2) causes, procures or authorizes these acts; or (3) having the charge or custody of an animal, either as owner or otherwise, inflicts unnecessary suffering or pain upon the animal, or unnecessarily fails to provide the animal with nutritious food in sufficient quantity, necessary veterinary care, proper drink, air, space, shelter or protection from the weather; or (4) uses or permits to be used any bird, fowl, or cock for the purpose of fighting with any other animal, which is commonly known as cockfighting, is guilty of a misdemeanor punishable by a fine not exceeding \$1,000 or by imprisonment not to exceed 90 days, or both.

(B) Any person who ~~OR (5)~~ (1) INTENTIONALLY MUTILATES AN ANIMAL, OR CAUSES, PROCURES, OR AUTHORIZES INTENTIONAL MUTILATION OF AN ANIMAL; OR (2) uses or permits a dog to be used in or arranges or conducts a dogfight, is guilty of a misdemeanor punishable by a fine not exceeding \$5,000 or by imprisonment not to exceed 3 years, or both.

(C) Customary and normal veterinary and agricultural husbandry practices including but not limited to dehorning, castration, docking tails, and limit feeding, are not covered by the provisions of this section. In the case of activities in which physical pain may unavoidably be caused to animals, such as food processing, pest elimination, animal training, and hunting, cruelty shall mean a failure to employ the most humane method reasonably available. It is the intention of the General Assembly that all animals, whether they be privately owned, strays, domesticated, feral, farm, corporately or institutionally owned, under private, local, State, or federally funded scientific or medical activities, or