

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 (1) intentionally mutilates, ~~TORTURES, INTENTIONALLY STARVES, CRUELLY BEATS, OR CRUELLY KILLS~~ an animal, or causes, procures, or authorizes THE CRUEL KILLING OR 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 otherwise being situated in Maryland shall be protected from intentional cruelty, but that no person shall be liable for criminal prosecution for normal human activities to which the infliction of pain to an animal is purely incidental and unavoidable.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1995.

Approved May 9, 1995.

CHAPTER 339

(House Bill 1322)

AN ACT concerning

Insurance – Risk Based Capital Standards

FOR the purpose of adopting risk based capital standards to be applied to domestic insurers in this State; exempting the Maryland Automobile Insurance Fund from the provisions of this Act; providing for the determination of risk based capital for insurers; requiring insurers to maintain a level of capital at or above a specific level under certain circumstances; providing for certain risk based capital reports and plans to be filed by insurers under certain circumstances; providing for four levels of company and regulatory action; requiring that insurers or the Insurance Commissioner take certain actions once certain capitalization levels are reached; providing for certain rights to a hearing; providing for confidentiality of certain information ~~and~~, plans, records, and hearings; providing that this Act is supplemental to other provisions of the Insurance Code; providing for certain standards for foreign insurers; imposing certain conditions on the use of risk based capital information; providing for limited liability on the part of certain persons