

(1996 Replacement Volume and 2000 Supplement)

BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings

Section 4-301(b)(13) and (14) and 4-302(a) and (d)(1)

Annotated Code of Maryland

(1998 Replacement Volume and 2000 Supplement)

BY adding to

Article - Courts and Judicial Proceedings

Section 4-301(b)(15)

Annotated Code of Maryland

(1998 Replacement Volume and 2000 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, or cruelly beats; (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; or (5) knowingly attends a deliberately conducted dogfight as a spectator, is guilty of a misdemeanor punishable by a fine not exceeding \$1,000 or by imprisonment not to exceed 90 days, or both.

(b) (1) Any person who (i) intentionally mutilates or cruelly kills an animal, or causes, procures, or authorizes the cruel killing or intentional mutilation of an animal; or (ii) uses or permits a dog to be used in or arranges or conducts a dogfight; or (iii) except in the case of self-defense, intentionally inflicts bodily harm, disability, or death on an animal used by a law enforcement unit, is guilty of a misdemeanor punishable by a fine not exceeding \$5,000 or by imprisonment not to exceed 3 years, or both.

(2) As a condition of sentence for a person convicted under paragraph (1) of this subsection, a court may order the person to participate in psychological counseling that is to be paid for by the person.

(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