

former obsolete reference to the "Bureau of Animal Control" for accuracy.

Defined terms: "Animal" § 10-601

"Cruelty" § 10-601

"Humane society" § 10-601

"Person" § 1-101

10-610. ANIMAL AS PRIZE.

(A) SCOPE OF SECTION.

THIS SECTION DOES NOT APPLY TO A PERSON GIVING AWAY AN ANIMAL:

- (1) AS AN AGRICULTURAL PROJECT;
- (2) FOR CONSERVATION PURPOSES; OR
- (3) THAT IS INTENDED FOR SLAUGHTER.

(B) PROHIBITED.

WITHOUT THE APPROVAL OF THE SECRETARY OF AGRICULTURE, A PERSON MAY NOT GIVE AWAY A LIVE ANIMAL AS:

- (1) A PRIZE FOR, OR INDUCEMENT TO ENTER, A CONTEST, GAME, OR OTHER COMPETITION;
- (2) AN INDUCEMENT TO ENTER A PLACE OF AMUSEMENT; OR
- (3) AN INCENTIVE TO MAKE A BUSINESS AGREEMENT IF THE OFFER IS TO ATTRACT TRADE.

(C) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$500.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 60A.

In the introductory language of subsection (b) of this section, the former reference to a live "equine, or bird" is deleted as included in the comprehensive reference to a live "animal".

The Criminal Law Article Review Committee notes, for the consideration of the General Assembly, that the purpose paragraph of Ch. 480, Acts of 1978, which enacted former Art. 27, § 60A, described the animals the offer of which is regulated by this section as "vertebrate" animals. No bill review letter, nor any other advice of the Attorney General, noted the discrepancy between the term "vertebrate animal" used in the title of the bill and the term "animal" used in the body of the bill.

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"Person" § 1-101