

CHAPTER 175**(Senate Bill 407)**

AN ACT concerning

Care of Mistreated Animals – Accompanying Veterinarians

FOR the purpose of allowing licensed veterinarians of the State to accompany police officers, animal humane society officials, and certain public officials when entering any place where certain animals are impounded or confined, in order to care for or remove the animals, without being held liable for the entry.

BY repealing and reenacting, with amendments,

Article 27 – Crimes and Punishments

Section 67

Annotated Code of Maryland

(1996 Replacement Volume and 1997 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

67.

If the owner or custodian of an animal is convicted of any act of animal cruelty, the judge may use his own discretion in ordering the removal of that animal or animals for their protection at the time of conviction. Whenever it becomes necessary, in order to protect any animal from neglect or cruelty, any officer or authorized agent of an animal humane society or any police officer or other public officials charged with the protection of animals may take possession of it, except that animals in the possession of medical and scientific research facilities may not be removed therefrom without the prior review and recommendation of the Department of Health and Mental Hygiene, Division of Veterinary Medicine. The Department of Health and Mental Hygiene shall conduct an investigation within 24 hours of the receipt of a complaint and shall, within 24 hours of the investigation, report to the State's Attorney of the county in which the facilities are situated. If an animal is impounded, yarded or confined and continues without necessary food, water or proper attention, or is cruelly treated or neglected, any officer or authorized agent of an animal humane society or any police officer or other public officials charged with the protection of animals, OR ANY INVITED AND ACCOMPANYING LICENSED VETERINARIAN OF THE STATE ASKED TO ACCOMPANY THEM, may enter into and upon any place in which the animal is impounded, yarded or confined and supply it with necessary food, water and attention so long as it there remains, or, if necessary, for the health of the animal, may remove the animal, and not be liable to any action for that entry. In all cases the owner or custodian of that animal shall be notified of that action and any administrative remedies which may be available by the person taking possession of the animal. The owner or custodian may file within ten days, if no administrative remedy is available, a petition for return of the animal in the District Court of the