

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE

House Bill 153
Judiciary

(Delegate Stein, *et al.*)

Criminal Law - Animal Cruelty - Leaving Dogs Outside and Unattended in
Extreme Weather

This bill prohibits a person from leaving a dog outside and unattended by use of a restraint for a period longer than (1) 15 minutes when a hazardous weather warning issued by the National Weather Service is in effect for the local area or (2) one hour when the local temperature is 32 degrees Fahrenheit or below or 100 degrees Fahrenheit or above.

Violators are guilty of a misdemeanor, punishable by a maximum fine of \$1,000.

Fiscal Summary

State Effect: Minimal increase in general fund revenues due to fines imposed in the District Court. Expenditures are not affected.

Local Effect: Local expenditures for animal control personnel may increase depending on current staffing levels and the jurisdiction's level of enforcement. Revenues are not affected.

Small Business Effect: None.

Analysis

Current Law: A person may not leave a dog outside and unattended by use of a "restraint":

- that unreasonably limits the movement of the dog;
- that uses a "collar" that is made primarily of metal or is not at least as large as the circumference of the dog's neck plus one inch;

- that restricts the access of the dog to suitable and sufficient clean water or appropriate shelter;
- in unsafe or unsanitary conditions; or
- that causes injury to the dog.

Violators are guilty of a misdemeanor, punishable by imprisonment for up to 90 days and/or a \$1,000 maximum fine.

“Collar” is defined as a device constructed of nylon, leather, or similar material specifically designed to be used around the neck of a dog. “Restraint” means a chain, rope, tether, leash, cable, or other device that attaches a dog to a stationary object or trolley system.

State Revenues: General fund revenues increase minimally as a result of the bill’s monetary penalty provision from cases heard in the District Court.

Local Expenditures: Local expenditures may increase depending on current animal control staffing levels and the jurisdiction’s level of enforcement.

Queen Anne’s County advises that the bill has a nominal fiscal impact. Carroll, Harford, and Montgomery counties do not anticipate a fiscal impact from the bill.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Baltimore, Carroll, Harford, Montgomery, and Queen Anne’s counties; Judiciary (Administrative Office of the Courts); Department of Legislative Services

Fiscal Note History: First Reader - February 16, 2015
min/kdm

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