

# HOUSE BILL 567

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By: **Delegates Kramer, Afzali, Barkley, Dumais, Fraser–Hidalgo, Frick, Glass, Kaiser, Luedtke, McComas, Morales, and Valderrama**

Introduced and read first time: February 11, 2015

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Crimes Relating to Animals – Failure to Offer Dogs and Cats Used in Research**  
3 **Facilities for Adoption – Penalties**

4 FOR the purpose of requiring certain research facilities using dogs and cats for certain  
5 scientific research purposes to take certain steps to provide for the adoption of a dog  
6 or cat under certain circumstances; establishing certain penalties for a violation of  
7 this Act; requiring the Attorney General to investigate certain violations;  
8 authorizing the Attorney General to prosecute certain violations; defining certain  
9 terms; and generally relating to dogs and cats used in research facilities.

10 BY adding to  
11 Article – Criminal Law  
12 Section 10–626  
13 Annotated Code of Maryland  
14 (2012 Replacement Volume and 2014 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
16 That the Laws of Maryland read as follows:

17 **Article – Criminal Law**

18 **10–626.**

19 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**  
20 **INDICATED.**

21 **(2) “ANIMAL RESCUE ORGANIZATION” INCLUDES:**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(I) A NONPROFIT ORGANIZATION INCORPORATED FOR THE**  
2 **PURPOSE OF RESCUING ANIMALS IN NEED AND FINDING PERMANENT, ADOPTIVE**  
3 **HOMES FOR THE ANIMALS; AND**

4           **(II) A GOVERNMENT-OPERATED ANIMAL CONTROL UNIT THAT**  
5 **PROVIDES ANIMALS FOR ADOPTION.**

6           **(3) "RESEARCH FACILITY" INCLUDES:**

7           **(I) A HIGHER EDUCATION RESEARCH FACILITY;**

8           **(II) A SCIENTIFIC RESEARCH FACILITY; AND**

9           **(III) A MEDICAL RESEARCH FACILITY.**

10          **(4) "SCIENTIFIC RESEARCH PURPOSES" INCLUDES:**

11          **(I) INVESTIGATION;**

12          **(II) EXPERIMENTATION;**

13          **(III) INSTRUCTION; AND**

14          **(IV) TESTING.**

15          **(B) A RESEARCH FACILITY LOCATED IN THE STATE IN WHICH DOGS OR CATS**  
16 **ARE USED FOR SCIENTIFIC RESEARCH PURPOSES SHALL TAKE REASONABLE STEPS**  
17 **TO PROVIDE FOR THE ADOPTION OF A DOG OR CAT THAT IS NO LONGER NEEDED FOR**  
18 **SCIENTIFIC RESEARCH PURPOSES BY:**

19           **(1) ESTABLISHING AN ANIMAL RESCUE DATABASE IDENTIFYING**  
20 **ANIMAL RESCUE ORGANIZATIONS THAT ARE WILLING TO TAKE A DOG OR CAT FROM**  
21 **THE RESEARCH FACILITY; AND**

22           **(2) OFFERING THE DOG OR CAT TO THE ANIMAL RESCUE**  
23 **ORGANIZATIONS IDENTIFIED IN THE DATABASE ESTABLISHED UNDER ITEM (1) OF**  
24 **THIS SUBSECTION.**

25          **(C) AN OPERATOR, EMPLOYEE, OR AGENT OF A RESEARCH FACILITY WHO**  
26 **WILLFULLY VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON**  
27 **CONVICTION IS SUBJECT TO:**

28           **(1) FOR A FIRST OFFENSE, A FINE NOT EXCEEDING \$1,000; AND**

1                   (2)   FOR A SECOND OR SUBSEQUENT OFFENSE, A FINE NOT EXCEEDING  
2   \$5,000.

3           (D)   (1)   THE ATTORNEY GENERAL SHALL INVESTIGATE AN ALLEGED  
4   VIOLATION OF THIS SECTION.

5                   (2)   IF THE ATTORNEY GENERAL FINDS THAT A VIOLATION OF THIS  
6   SECTION HAS OCCURRED, THE ATTORNEY GENERAL MAY PROSECUTE THE  
7   VIOLATION.

8           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9   October 1, 2015.