

HOUSE BILL 750

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2lr1890

By: **Delegate McDonough**

Introduced and read first time: February 8, 2012

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Public Health – Importation, Release, and Disposal of Wildlife – Prohibition**

3 FOR the purpose of prohibiting, under certain circumstances, a person from importing
4 and releasing wildlife into the State or disposing of wildlife in the State;
5 establishing certain penalties for the violation of this Act; defining a certain
6 term; and generally relating to the importation, release, and disposal of wildlife.

7 BY repealing and reenacting, without amendments,
8 Article – Health – General
9 Section 18–217
10 Annotated Code of Maryland
11 (2009 Replacement Volume and 2011 Supplement)

12 BY adding to
13 Article – Health – General
14 Section 18–219.1
15 Annotated Code of Maryland
16 (2009 Replacement Volume and 2011 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article – Health – General
19 Section 18–222
20 Annotated Code of Maryland
21 (2009 Replacement Volume and 2011 Supplement)

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

24 **Article – Health – General**

25 18–217.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 The General Assembly finds and declares that it is in the public interest to
2 ensure the public health, safety, and welfare by strictly regulating in this State the
3 importation, transportation, sale, transfer, breeding, raising, keeping, and possession
4 of certain animals which pose a possibility of the introduction of a disease or pest
5 harmful to humans, or endangers the physical safety of human beings.

6 **18-219.1.**

7 **(A) (1) IN THIS SECTION, "WILDLIFE" MEANS ANY FREE-ROAMING**
8 **WILD ANIMAL.**

9 **(2) "WILDLIFE" DOES NOT INCLUDE:**

10 **(I) DOMESTIC ANIMALS;**

11 **(II) COMMENSAL RODENTS;**

12 **(III) INVERTEBRATES; OR**

13 **(IV) FISH.**

14 **(B) A PERSON MAY NOT:**

15 **(1) IMPORT AND RELEASE WILDLIFE INTO THE STATE IF THE**
16 **WILDLIFE WAS CAPTURED OUTSIDE THE STATE; OR**

17 **(2) DISPOSE OF WILDLIFE IN THE STATE IF THE WILDLIFE WAS**
18 **KILLED OUTSIDE THE STATE.**

19 **18-222.**

20 (a) Any person who imports, transports, sells, transfers, breeds, raises,
21 keeps, or possesses any animal which is prohibited under § 18-219 of this subtitle is
22 guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$500, or
23 imprisonment not exceeding 1 year, or both.

24 (b) Any animal, whose possession or keeping is prohibited under § 18-219 of
25 this subtitle shall be considered a nuisance and a contraband, and is subject to seizure
26 by any authorized law-enforcement officer.

27 **(C) (1) A PERSON WHO VIOLATES § 18-219.1 OF THIS SUBTITLE IS**
28 **GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO:**

1 **(I) FOR A FIRST OFFENSE, A FINE NOT EXCEEDING \$500 OR**
2 **IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH; OR**

3 **(II) FOR A SECOND OR SUBSEQUENT OFFENSE, A FINE NOT**
4 **LESS THAN \$500 AND NOT EXCEEDING \$2,500 OR IMPRISONMENT NOT LESS**
5 **THAN 1 YEAR AND NOT EXCEEDING 3 YEARS OR BOTH.**

6 **(2) IF A PERSON VIOLATES § 18-219.1 OF THIS SUBTITLE IN THE**
7 **COURSE OF THE PERSON'S EMPLOYMENT WITH A PEST CONTROL COMPANY**
8 **LICENSED BY THE STATE, THE LICENSE SHALL BE REVOKED.**

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 June 1, 2012.