

Chapter 128

(Senate Bill 56)

AN ACT concerning

Secretary of Agriculture – Regulation of Poultry to Protect Animal Health and Control Avian Influenza

FOR the purpose of authorizing the Secretary of Agriculture to provide an exemption from a certain annual licensing requirement to a certain live poultry market operator, production facility operator, or poultry dealer; altering the authority of the Secretary to adopt a certain animal health program; altering certain definitions; making stylistic changes; and generally relating to the regulation of poultry to protect animal health and to control avian influenza.

BY repealing and reenacting, with amendments,

Article – Agriculture

Section 3–801 through 3–803 to be under the amended subtitle “Subtitle 8. Regulation of Poultry to Protect Animal Health and Control Avian Influenza”

Annotated Code of Maryland

(2016 Replacement Volume and 2018 Supplement)

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

Article – Agriculture

Subtitle 8. Regulation of Poultry to **PROTECT ANIMAL HEALTH AND** Control Avian Influenza.

3–801.

(a) In this subtitle the following words have the meanings indicated.

(b) “Live poultry market” means any facility **OR LOCATION** where [live poultry is gathered to be slaughtered and sold on site] **POULTRY:**

(1) IS OFFERED FOR SALE, SOLD, DISTRIBUTED, OR TRANSFERRED;
OR

(2) IS SLAUGHTERED AND SOLD ON–SITE.

(c) “Poultry” means any living domesticated bird ~~OR ITS HATCHING EGGS.~~

(d) “Poultry dealer” means a person who [is in the business of trading, selling, transporting, or moving poultry between a production facility and a live poultry market] **ENGAGES IN THE BUSINESS OF BUYING, SELLING, EXCHANGING, OR TRANSPORTING POULTRY BETWEEN A PRODUCTION FACILITY AND A LIVE POULTRY MARKET.**

(e) “Production facility” means the facility or farm that is the origin of poultry offered for sale at a live poultry market.

3–802.

(a) [Each] **EXCEPT AS PROVIDED BY THE SECRETARY, EACH** live poultry market operator, production facility operator, and poultry dealer shall obtain an annual license from the Secretary.

(b) Each license shall be effective until the following June 30, unless suspended or revoked.

3–803.

(A) In addition to [any of the powers provided in this article] **THE POWER** to protect the health of domestic animals **SET FORTH ELSEWHERE IN THIS ARTICLE, AND SUBJECT TO SUBTITLE 10 OF THIS TITLE,** the Secretary [has the authority to] **MAY** adopt an animal health protection program that is applicable to any live poultry market, production facility, and poultry dealer [and].

(B) AN ANIMAL HEALTH PROTECTION PROGRAM ADOPTED BY THE SECRETARY UNDER SUBSECTION (A) OF THIS SECTION MAY INCLUDE A PROGRAM that meets the regulatory requirements of the United States Department of Agriculture’s Uniform Standards for the Prevention and Control of H5 and H7 Low Pathogenicity Avian Influenza in the live bird marketing system.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2019.

Approved by the Governor, April 18, 2019.