

SENATE BILL 696

E1

(7lr1261)

ENROLLED BILL

— *Judicial Proceedings / Judiciary* —

Introduced by **Senators Stone, Britt, Della, Jones, Madaleno, and Pinsky**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Crimes - Leaving Dogs Outside and Unattended by Use of Restraints -**
3 **Penalties**

4 FOR the purpose of prohibiting a person from leaving a dog outside and unattended by
5 use of a certain restraint ~~during certain time periods and~~ and under certain
6 circumstances; establishing penalties for a violation of this Act; defining certain
7 terms; and generally relating to the unattended restraint of dogs.

8 BY adding to
9 Article - Criminal Law
10 Section 10-623

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber / conference committee amendments.



1 Annotated Code of Maryland
2 (2002 Volume and 2006 Supplement)

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

5 **Article – Criminal Law**

6 **10-623.**

7 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
8 MEANINGS INDICATED.

9 (2) “COLLAR” MEANS A DEVICE CONSTRUCTED OF NYLON,
10 LEATHER, OR SIMILAR MATERIAL SPECIFICALLY DESIGNED TO BE USED
11 AROUND THE NECK OF A DOG.

12 (3) “RESTRAINT” MEANS A CHAIN, ROPE, TETHER, LEASH, CABLE,
13 OR OTHER DEVICE THAT ATTACHES A DOG TO A STATIONARY OBJECT OR
14 TROLLEY SYSTEM.

15 (B) A PERSON MAY NOT LEAVE A DOG OUTSIDE AND UNATTENDED BY
16 USE OF A RESTRAINT:

17 (1) ~~BETWEEN THE HOURS OF MIDNIGHT AND 6 A.M., UNLESS THE~~
18 ~~PERSON HAS AN EXPRESS WAIVER FROM THE LOCAL ANIMAL CONTROL~~
19 ~~AUTHORITY;~~

20 (I) ~~BETWEEN THE HOURS OF MIDNIGHT AND 6 A.M.; OR~~

21 (II) ~~THAT UNREASONABLY LIMITS THE MOVEMENT OF THE~~
22 ~~DOG;~~

23 (2) ~~DURING PERIODS WHEN THE NATIONAL WEATHER SERVICE~~
24 ~~HAS ISSUED A HEAT ADVISORY OR HURRICANE OR TROPICAL STORM WARNING~~
25 ~~OR WHEN THE REAL OR EFFECTIVE TEMPERATURE IS BELOW 32 DEGREES~~
26 ~~FAHRENHEIT; OR;~~

27 (2) THAT UNREASONABLY LIMITS THE MOVEMENT OF THE DOG;

1 ~~(3)~~ (2) THAT USES A COLLAR THAT:

2 ~~(I)~~ ~~IS A PINCH TYPE, PRONG TYPE, OR CHOKE TYPE~~
3 ~~COLLAR;~~

4 ~~(H)~~ (I) IS MADE PRIMARILY OF METAL; OR

5 ~~(H)~~ (II) IS NOT AT LEAST AS LARGE AS THE
6 CIRCUMFERENCE OF THE DOG'S NECK PLUS 1 INCH; ~~OR~~

7 ~~(IV)~~ ~~DOES NOT ALLOW THE INSERTION OF TWO FINGERS~~
8 ~~BETWEEN THE COLLAR AND THE NECK OF THE DOG;~~

9 ~~(4)~~ ~~THAT IS LESS THAN FIVE TIMES THE LENGTH OF THE DOG, AS~~
10 ~~MEASURED FROM THE TIP OF THE DOG'S NOSE TO THE BASE OF THE DOG'S TAIL~~
11 ~~OR THAT IS LESS THAN 10 FEET LONG;~~

12 ~~(5)~~ ~~(4)~~ (3) THAT RESTRICTS THE ACCESS OF THE DOG TO SUITABLE
13 AND SUFFICIENT ~~FOOD, CLEAN WATER,~~ CLEAN WATER OR APPROPRIATE
14 SHELTER;

15 ~~(6)~~ ~~(5)~~ (4) IN UNSAFE OR UNSANITARY CONDITIONS; OR

16 ~~(7)~~ ~~(6)~~ (5) THAT CAUSES INJURY TO THE DOG.

17 (C) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A
18 MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT
19 EXCEEDING 90 DAYS OR A FINE NOT EXCEEDING \$1,000 OR BOTH.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2007.