

SENATE BILL 157

E1, L1

4lr1109

(PRE-FILED)

By: **Senator Ellis**

Requested: October 23, 2023

Introduced and read first time: January 10, 2024

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Domestic Animals – Penalties for Abandonment and Microchip Requirements**
3 **for Dogs**

4 FOR the purpose of increasing the penalties for abandoning a domestic animal in certain
5 locations; establishing requirements for the microchipping of dogs on a transfer of
6 ownership and for the management of information relating to dogs with implanted
7 microchips; authorizing the governing body of a county to establish reasonable
8 penalties for a violation of this Act; and generally relating to domestic animals.

9 BY repealing and reenacting, with amendments,
10 Article – Criminal Law
11 Section 10–612
12 Annotated Code of Maryland
13 (2021 Replacement Volume and 2023 Supplement)

14 BY adding to
15 Article – Local Government
16 Section 13–108.1
17 Annotated Code of Maryland
18 (2013 Volume and 2023 Supplement)

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

21 **Article – Criminal Law**

22 10–612.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) A person who owns, possesses, or has custody of a domestic animal may not
2 drop or leave the animal on a road, in a public place, or on private property with the intent
3 to abandon the animal.

4 (b) A person who violates this section is guilty of a misdemeanor and on conviction
5 is subject to **IMPRISONMENT NOT EXCEEDING 90 DAYS OR** a fine not exceeding **[\$100]**
6 **\$1,000 OR BOTH.**

7 **Article – Local Government**

8 **13-108.1.**

9 (A) (1) **IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
10 **INDICATED.**

11 (2) **“ANIMAL SHELTER” INCLUDES A COUNTY OR MUNICIPAL ANIMAL**
12 **CONTROL FACILITY.**

13 (3) **“MICROCHIP” MEANS A SURGICALLY IMPLANTED ELECTRONIC**
14 **DEVICE CONTAINING A UNIQUE IDENTIFICATION CODE.**

15 (4) **“MICROCHIP REGISTRATION COMPANY” MEANS A COMPANY THAT**
16 **MAINTAINS A DATABASE OF DOG OWNER CONTACT INFORMATION AND ASSOCIATED**
17 **MICROCHIP DATA FOR THE PURPOSE OF FACILITATING REUNIFICATION OF LOST**
18 **DOGS WITH THEIR OWNERS.**

19 (5) **“PERSON” INCLUDES AN INDIVIDUAL, AN ANIMAL RESCUE**
20 **ORGANIZATION, A RETAIL PET STORE, AS DEFINED IN § 19-701 OF THE BUSINESS**
21 **REGULATION ARTICLE, AND AN ANIMAL SHELTER OR OTHER ANIMAL RESCUE**
22 **ORGANIZATION.**

23 (6) **“VETERINARY PRACTITIONER” HAS THE MEANING STATED IN §**
24 **2-301 OF THE AGRICULTURE ARTICLE.**

25 (B) (1) **THIS SECTION APPLIES TO ALL COUNTIES, INCLUDING**
26 **BALTIMORE CITY.**

27 (2) **THIS SECTION DOES NOT APPLY TO A DOG USED BY A LAW**
28 **ENFORCEMENT AGENCY OR FOR SEARCH AND RESCUE PURPOSES.**

29 (C) **A PERSON THAT TRANSFERS OWNERSHIP OF A DOG SHALL:**

1 **(1) IF THE DOG DOES NOT ALREADY HAVE AN IMPLANTED**
2 **MICROCHIP, HAVE A MICROCHIP IMPLANTED INTO THE DOG BY A VETERINARY**
3 **PRACTITIONER BEFORE THE TRANSFER OF OWNERSHIP; AND**

4 **(2) PROVIDE THE NEW OWNER OF THE DOG WITH THE NAME OF THE**
5 **MICROCHIP REGISTRATION COMPANY AND INFORMATION ON HOW TO PROVIDE**
6 **UPDATED CONTACT INFORMATION WITH THE COMPANY.**

7 **(D) THE OWNER OF A DOG WITH A MICROCHIP SHALL MAINTAIN CURRENT**
8 **CONTACT INFORMATION WITH THE MICROCHIP REGISTRATION COMPANY.**

9 **(E) A MICROCHIP REGISTRATION COMPANY SHALL RETAIN RECORDS OF**
10 **THE NAME AND ADDRESS OF THE OWNER ASSOCIATED WITH EACH DOG WITH A**
11 **REGISTERED MICROCHIP FOR A PERIOD OF AT LEAST 20 YEARS.**

12 **(F) A VETERINARY PRACTITIONER, AN ANIMAL SHELTER, AND AN ANIMAL**
13 **RESCUE ORGANIZATION THAT SCANS FOUND DOGS FOR MICROCHIPS MAY ONLY**
14 **RELEASE THE CHIP IDENTIFICATION NUMBER TO THE FINDER OF THE DOG ON**
15 **REQUEST.**

16 **(G) (1) THE PROVISIONS OF § 13-109 OF THIS SUBTITLE DO NOT APPLY**
17 **TO THIS SECTION.**

18 **(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION,**
19 **THE GOVERNING BODY OF A COUNTY MAY ESTABLISH REASONABLE PENALTIES FOR**
20 **A VIOLATION OF THIS SECTION.**

21 **(3) THE GOVERNING BODY OF A COUNTY MAY NOT ESTABLISH**
22 **PENALTIES FOR A VIOLATION OF SUBSECTION (D) OF THIS SECTION.**

23 **(H) EXCEPT AS PROVIDED IN SUBSECTION (G)(3) OF THIS SECTION, THIS**
24 **SECTION MAY NOT BE CONSTRUED TO PROHIBIT THE GOVERNING BODY OF A**
25 **COUNTY FROM ENACTING MORE STRINGENT REQUIREMENTS FOR THE**
26 **MICROCHIPPING OF DOGS.**

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to
28 apply only prospectively and may not be applied or interpreted to have any effect on or
29 application to any requirements for the transfer of ownership of a dog before the effective
30 date of this Act.

31 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 October 1, 2024.