

A030-0190

10 AN ACT CONCERNING
20 **DANGEROUS DOGS**

30 FOR the purpose of protecting the general public from dangerous and potentially dangerous animals

40 BY repealing and reenacting, with amendments

50 Article – Criminal Law

60 Title – 10 Crimes Against Public Health, Conduct, and Sensibilities.

70 § 10-619. Dangerous Dog.

80 BY enacting

90 Article – Criminal Law

100 Title – 10 Crimes Against Public Health, Conduct, and Sensibilities.

110 § 10-624. Possession of Pit Bull.

120 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

130 That the Laws of Maryland read as follows:

140 § 10-619. Dangerous Dog.

150 (a) Definitions.-

160 (1) In this section the following words have the meanings indicated.

170 (2) "Dangerous dog" means a dog that:

180 (i) without provocation has killed or inflicted severe injury on a person; or

190 (ii) is determined by the appropriate unit of a county or municipal corporation under

200 subsection (c) of this section to be a potentially dangerous dog and, after the

210 determination is made:

220 1. bites a person;

220 2. when not on its owner's real property, kills or inflicts severe injury on a

230 domestic animal; or

240 3. attacks without provocation.

250 (III) PIT BULLS ARE PRESUMED TO BE DANGEROUS DOGS

260 (3) (i) "Owner's real property" means real property owned or leased by the owner of a dog.

270 (ii) "Owner's real property" does not include a public right-of-way or a common area of a

280 condominium, apartment complex, or townhouse development.

290 (4) "Severe injury" means a physical injury that results in broken bones or disfiguring lacerations

300 requiring multiple sutures or cosmetic surgery.

310 (b) Exception.- This section does not apply to a dog owned by and working for a governmental or law

320 enforcement unit.

330 (c) Determination of potentially dangerous dog.- An appropriate unit of a county or municipal corporation

340 may determine that a dog is potentially dangerous if the unit:

350 (1) finds that the dog:

360 (i) has inflicted a bite on a person while on public or private real property;

370 (ii) when not on its owner's real property, has killed or inflicted severe injury on a

380 domestic animal; or

390 (iii) has attacked without provocation; and

400 (2) notifies the dog owner in writing of the reasons for this determination.

410 (D) UPON DETERMINATION OF A DOG TO BE DANGEROUS OR POTENTIALLY DANGEROUS,
420 THE APPROPRIATE UNIT OF THE COUNTY OR MUNICIPAL CORPORATION SHALL SEIZE THE
430 ANIMAL FOR PURPOSES OF HUMANE DISPOSAL.

440 (d) Prohibited.- A dog owner may not CONTINUE TO POSSESS A DOG DETERMINED TO BE
450 DANGEROUS OR POTENTIALLY DANGEROUS.:

430 ~~(1) leave a dangerous dog unattended on the owner's real property unless the dog is:~~

440 ~~(i) confined indoors;~~

450 ~~(ii) in a securely enclosed and locked pen; or~~

460 ~~(iii) in another structure designed to restrain the dog; or~~

470 ~~(2) allow a dangerous dog to leave the owner's real property unless the dog is leashed and~~
480 ~~muzzled, or is otherwise securely restrained and muzzled.~~

490 ~~(e) Required notice. An owner of a dangerous dog or potentially dangerous dog who sells or gives the dog~~
500 ~~to another shall notify in writing:~~

510 ~~(1) the authority that made the determination under subsection (c) of this section, of the name and~~
520 ~~address of the new owner of the dog; and~~

530 ~~(2) the person taking possession of the dog, of the dangerous behavior or potentially dangerous~~
540 ~~behavior of the dog.~~

550 ~~(f) Penalty. A person who violates this section is guilty of a misdemeanor and on conviction is subject to a~~
560 ~~fine not exceeding \$2,500.~~

570 (E) PENALTY:

580 (1) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND
590 ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$5,000 OR A SENTENCE
600 NOT EXCEEDING 1 YEAR IN PRISON, OR BOTH.

610 (2) FOR PURPOSES OF HUMANE DISPOSAL, A COURT MAY SEIZE AN ANIMAL IN
620 VIOLATION OF THIS SECTION.

630 SECTION 2. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

640 That the Laws of Maryland read as follows:

650 § 10-624. Sale of Pit Bulls.

660 (a) Scope of section.- This section does not apply to a biomedical facility that is licensed by the United
670 States Department of Agriculture.

680 (b) Prohibited.-

690 (1) Except as provided in paragraph (2) of this subsection, a person may not sell or distribute in
700 the State or bring into the State for the purpose of sale or distribution a pit bull.

710 (c) Penalty.-

720 (1) A person who violates this section is guilty of a misdemeanor and on conviction is subject to a
730 fine not exceeding \$5,000 or a sentence not exceeding 1 year in prison, or both.

740 (2) For purposes of humane disposal, a court may seize an animal brought into this State in
750 violation of this section.

760 SECTION 3. AND BE IT FURTHER ENACTED, that this act shall take effect January 1, 2015.

770 **MANDATES:**
780 Martin O'Malley, Governor
790 Michael Busch, Speaker of the House
800 Thomas V. Miller, President of the Senate
810 Douglas F. Gansler, Attorney General of Maryland

Sponsor:
Scott Thomas Besore, Delegation Chair Person, Salisbury University.

Co-Sponsor:
Paul R. Schuman, Lt. Governor, UMBC