

SENATE BILL 156

E4

11r0839

SB 412/20 – JPR

(PRE-FILED)

By: **Senator Kramer**

Requested: October 3, 2020

Introduced and read first time: January 13, 2021

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: January 26, 2021

CHAPTER _____

1 AN ACT concerning

2 **Public Safety – Law Enforcement – Veterinary Care of Retired Law**
3 **Enforcement K–9s Act**

4 FOR the purpose of requiring certain State and local law enforcement agencies to
5 reimburse individuals who take possession of dogs formerly used in law enforcement
6 work under certain circumstances for certain veterinary treatment; specifying that
7 the reimbursement may be only for certain veterinary treatment and may not exceed
8 a certain amount of money; authorizing certain State law enforcement agencies to
9 accept public donations for the payment of certain veterinary expenses; authorizing
10 certain State law enforcement agencies to accept certain donations; requiring that
11 certain donations accepted by a State law enforcement agency be disbursed to the
12 K–9 Compassionate Care Fund; authorizing certain local law enforcement agencies
13 to establish a separate fund to accept public donations for the payment of certain
14 veterinary expenses; establishing the K–9 Compassionate Care Fund as a special,
15 nonlapsing fund; specifying the purpose of the Fund; requiring the Department of
16 State Police to administer the Fund; requiring the State Treasurer to hold the Fund
17 and the Comptroller to account for the Fund; specifying the contents of the Fund;
18 specifying the purpose for which the Fund may be used; providing for the investment
19 of money in and expenditures from the Fund; defining a certain term; providing for
20 the application of this Act; and generally relating to dogs formerly used for law
21 enforcement work.

22 BY adding to
23 Article – Public Safety

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.



Section 3–523
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(ii) 122. and 123.
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(ii) 124.
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

Preamble

WHEREAS, Law enforcement dogs have become an integral part of many law enforcement efforts statewide, including suspect apprehension through tracking and searching, evidence location, drug and bomb detection, and search and rescue operations; and

WHEREAS, Law enforcement agencies agree that the use of law enforcement dogs is an extremely cost-effective means for crime control and that these dogs possess skills and abilities that frequently exceed the capabilities of existing technology; and

WHEREAS, The work of law enforcement dogs is often dangerous and can cause these dogs to incur injuries at a rate higher than the rate of injury that occurs with respect to nonworking dogs; and

WHEREAS, Law enforcement dogs provide significant contributions to the welfare and safety of residents of Maryland; now, therefore,

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

Article – Public Safety

3–523.

1 (A) (1) THIS SECTION APPLIES ONLY TO PUBLICLY OWNED DOGS THAT
2 ARE LICENSED UNDER § 2-313 OF THIS ARTICLE.

3 (2) A STATE OR LOCAL LAW ENFORCEMENT AGENCY THAT REMOVES
4 FROM DUTY A DOG USED IN LAW ENFORCEMENT WORK SHALL REIMBURSE AN
5 INDIVIDUAL WHO, UNDER A WRITTEN AGREEMENT WITH THE LAW ENFORCEMENT
6 AGENCY, TAKES POSSESSION OF THE DOG ON OR AFTER OCTOBER 1, 2020, FOR
7 REASONABLE AND NECESSARY VETERINARY TREATMENT PROVIDED TO THE DOG.

8 (3) REIMBURSEMENT UNDER PARAGRAPH (2) OF THIS SUBSECTION:

9 (I) MAY BE ONLY FOR USUAL AND CUSTOMARY VETERINARY
10 TREATMENT THAT IS NOT ATTRIBUTABLE TO ABUSE OR NEGLECT OF THE DOG AND
11 IS VERIFIED BY WRITTEN RECEIPT; AND

12 (II) MAY NOT EXCEED \$2,500 DURING A CALENDAR YEAR AND
13 \$10,000 OVER THE LIFE OF THE DOG.

14 (4) (I) 1. A STATE LAW ENFORCEMENT AGENCY MAY ACCEPT
15 PUBLIC DONATIONS TO MEET THE REQUIREMENTS OF THIS SECTION.

16 2. THE REVENUE FROM DONATIONS BY THE PUBLIC
17 SHALL BE DISTRIBUTED TO THE K-9 COMPASSIONATE CARE FUND, WHICH IS NOT
18 SUBJECT TO APPROPRIATION BY THE GOVERNOR, TO BE USED ONLY TO MEET THE
19 REQUIREMENTS OF THIS SECTION.

20 (II) A LOCAL LAW ENFORCEMENT AGENCY MAY ESTABLISH A
21 SEPARATE FUND TO ACCEPT AND MANAGE PUBLIC DONATIONS IN ORDER TO MEET
22 THE REQUIREMENTS OF THIS SECTION.

23 (B) (1) IN THIS SECTION, "FUND" MEANS THE K-9 COMPASSIONATE
24 CARE FUND.

25 (2) THERE IS A K-9 COMPASSIONATE CARE FUND.

26 (3) THE PURPOSE OF THE FUND IS TO PROVIDE FOR VETERINARY
27 CARE OF RETIRED STATE LAW ENFORCEMENT DOGS ADOPTED UNDER SUBSECTION
28 (A) OF THIS SECTION.

29 (4) THE DEPARTMENT OF STATE POLICE SHALL ADMINISTER THE
30 FUND.

31 (5) (I) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT
32 SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(II) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(6) THE FUND CONSISTS OF:

(I) PUBLIC DONATIONS ACCEPTED BY A STATE LAW ENFORCEMENT AGENCY UNDER SUBSECTION (A)(4) OF THIS SECTION;

(II) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;

(III) INTEREST EARNINGS; AND

(IV) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(7) THE FUND MAY BE USED ONLY FOR THE REIMBURSEMENT OF USUAL AND CUSTOMARY VETERINARY TREATMENT THAT IS NOT ATTRIBUTABLE TO ABUSE OR NEGLECT OF AN ADOPTED FORMER STATE LAW ENFORCEMENT DOG THAT IS VERIFIED BY WRITTEN RECEIPTS AND FOR ADMINISTRATIVE EXPENSES.

(8) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(9) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO THE FUND.

(10) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.

(11) MONEY EXPENDED FROM THE FUND FOR THE VETERINARY CARE OF RETIRED STATE LAW ENFORCEMENT DOGS ADOPTED UNDER SUBSECTION (A) OF THIS SECTION IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT WOULD OTHERWISE BE APPROPRIATED FOR THE VETERINARY CARE OF RETIRED STATE LAW ENFORCEMENT DOGS.

Article – State Finance and Procurement

6–226.

(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to

1 receive interest earnings, as accounted for by the Comptroller, shall accrue to the General
2 Fund of the State.

3 (ii) The provisions of subparagraph (i) of this paragraph do not apply
4 to the following funds:

5 122. the Racing and Community Development Financing Fund;
6 [and]

7 123. the Racing and Community Development Facilities Fund;
8 AND

9 124. THE K-9 COMPASSIONATE CARE FUND.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
11 1, 2021.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.