

Department of Legislative Services  
Maryland General Assembly  
2017 Session

FISCAL AND POLICY NOTE  
Third Reader

Senate Bill 366

(Senator Madaleno)

Education, Health, and Environmental Affairs

Health and Government Operations

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Public Health - Rabies Vaccination Information - Submission to Local Agencies  
and Use for Licensing

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This bill requires a licensed veterinarian who vaccinates a dog, cat, or ferret against rabies, if requested by a local agency responsible for enforcement of local animal laws, to send specified proof of administration of the vaccination within 45 days of completing the vaccination. The bill also authorizes rabies vaccination records kept by a veterinarian to be used to license a dog, cat, or ferret by repealing the prohibition against this practice. A veterinarian who willfully fails to submit the records as required under the bill is subject to a \$10 civil penalty for each violation.

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Fiscal Summary

**State Effect:** The bill is not expected to have a material impact on State finances or operations.

**Local Effect:** Local expenditures may increase to the extent a local agency chooses to use the information reported to enforce local licensing laws. Likewise, local revenues increase to the extent that a local agency is able to collect more fees from licensing dogs, cats, and ferrets due to enhanced enforcement of local licensing laws. The bill's civil penalty provision is not anticipated to have a material impact on local revenues.

**Small Business Effect:** Potential meaningful.

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Analysis

**Bill Summary:** A veterinarian must submit (1) a copy of each signed and completed vaccination certificate or (2) information regarding each administered vaccination using

the method specified by the local agency. If a local agency receives vaccination information about a dog, cat, or ferret owned by a person in another jurisdiction, the local agency must forward the information to the local agency for the other jurisdiction.

**Current Law:** The Department of Health and Mental Hygiene (DHMH) is required to establish a statewide system to control rabies. DHMH's public health veterinarian has broad authority to handle animals that bite or otherwise expose an individual to rabies, investigate cases of transmission of rabies to an individual, and treat individuals who have been exposed (or are suspected of having been exposed) to rabies.

A pet owner must have any dog, cat, or ferret that is at least age four months vaccinated against rabies. A county may not register or license a dog, cat, or ferret unless the owner submits proof that the animal is adequately vaccinated against rabies with the application for licensure or registration.

A veterinarian has broad discretion to select the vaccine used to vaccinate dogs, cats, and ferrets against rabies and must administer the vaccine in accordance with recommendations of the National Association of State Public Health Veterinarians. A veterinarian must give the pet's owner proof of vaccination on a DHMH-approved form and maintain a record of the vaccination for five years.

A record of rabies vaccination that is held by a veterinarian may not be used to (1) license the dog, cat, or ferret or (2) tax the animal's owner. A person who violates relevant statutory provisions regarding rabies is guilty of a misdemeanor and subject to a fine of up to \$500 per offense.

**Local Fiscal Effect:** The bill's impact on local governments depends on whether they request information from veterinarians and then use it to enforce licensing requirements. For example, Montgomery County anticipates using the information provided by veterinarians to enhance compliance with pet licensing laws. Thus, the county estimates that revenues increase significantly as pet owners license their animals. The county reports \$340,000 in licensing revenues in fiscal 2016, based on a compliance rate of approximately 8% of pet owners. The county assumes incrementally greater compliance each year such that revenues increase by \$140,000 in fiscal 2018, escalating to \$760,000 in fiscal 2022 when compliance reaches approximately 45%. It is unclear the extent to which expenditures may need to increase for enforcement efforts.

**Small Business Effect:** Under the bill, veterinary practices in the State, many of which are small businesses, must submit vaccination records to a local agency on request. This requirement to submit vaccination records as requested may have a meaningful operational and/or fiscal impact on such practices, depending on current record keeping practices, the record format requested by a local agency, and the volume of records that must be

submitted. Finally, DHMH advises that the bill may result in a lower vaccination rate (as discussed below), which could have a negative impact on veterinary practices.

**Additional Comments:** The State Public Health Veterinarian notes that rabies vaccination and animal licensing have traditionally been separated (in Maryland and nationally) to encourage as many animals as possible to be vaccinated. If pet owners know that vaccination information can be used to enforce local licensing laws, some individuals may forgo vaccination for their animals. A decrease in vaccination rates may increase the number of rabid dogs, cats, and/or ferrets in Maryland and subsequent human exposure to rabies. DHMH advises that every case of human rabies requires hundreds of hours of intensive investigation and response by staff.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** HB 432 (Delegate Carr) - Health and Government Operations.

**Information Source(s):** Maryland Department of Agriculture; Department of Health and Mental Hygiene; Maryland Association of Counties; Maryland Association of County Health Officers; Maryland Municipal League; Baltimore City; Harford and Montgomery counties; Department of Legislative Services

**Fiscal Note History:** First Reader - February 7, 2017  
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