

SENATE BILL 412

E4

0lr1276

By: **Senators Kramer, Eckardt, Klausmeier, Rosapepe, and Young**

Introduced and read first time: January 27, 2020

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: February 28, 2020

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
24 Section 3–522

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.



1 Annotated Code of Maryland
2 (2018 Replacement Volume and 2019 Supplement)

3 BY repealing and reenacting, without amendments,
4 Article – State Finance and Procurement
5 Section 6–226(a)(2)(i)
6 Annotated Code of Maryland
7 (2015 Replacement Volume and 2019 Supplement)

8 BY repealing and reenacting, with amendments,
9 Article – State Finance and Procurement
10 Section 6–226(a)(2)(ii)121. and 122.
11 Annotated Code of Maryland
12 (2015 Replacement Volume and 2019 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – State Finance and Procurement
15 Section 6–226(a)(2)(ii)123.
16 Annotated Code of Maryland
17 (2015 Replacement Volume and 2019 Supplement)

18 Preamble

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

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

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

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

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

33 **Article – Public Safety**

34 **3–522.**

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 NEGLIGENCE 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.**

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

3 **(6) THE FUND CONSISTS OF:**

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

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

8 **(III) INTEREST EARNINGS; AND**

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

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

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

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

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

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

26 **Article – State Finance and Procurement**

27 6–226.

28 (a) (2) (i) Notwithstanding any other provision of law, and unless
29 inconsistent with a federal law, grant agreement, or other federal requirement or with the
30 terms of a gift or settlement agreement, net interest on all State money allocated by the
31 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:

5 121. the Markell Hendricks Youth Crime Prevention and
6 Diversion Parole Fund; [and]

7 122. the Federal Government Shutdown Employee Assistance
8 Loan Fund; AND

9 **123. THE K-9 COMPASSIONATE CARE FUND.**

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 ~~October~~ July 1, 2020.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.