



## House Bill 876

*Agriculture – Animal Shelters – Uniform Standards of Operation and Care  
(Animal Shelter Standards Act of 2015)*

MACo Position: **OPPOSE**

To: Environment and Transportation Committee

Date: March 4, 2015

From: Natasha Mehu

The Maryland Association of Counties (MACo) **OPPOSES** HB 876. This bill sets extensive and costly mandates on any animal shelter that is owned, operated, or maintained by local government or contracts with a local government.

HB 876 establishes a comprehensive state-wide set of standards regarding animal care that include the handling and destination of animals, euthanasia, loaning of humane animal capture traps to the public, and recordkeeping. Local governments largely regulate and fund animal shelters. Each jurisdiction manages whether they operate a shelter or contract with an entity to operate a shelter. Therefore, animal shelters vary in size, budget, and scope of services.

The bill sets detailed mandates on how their shelters should operate rather than minimum standards. Counties oppose such State intrusion. For instance, the State should not be in charge of setting the hours of operation for the individual facilities or the process by which a shelter loans humane animal capture traps to the public. These decisions are properly left to the community organizations and local governments that can best respond to community needs.

Similarly, this bill would set specific mandates on how local animal shelters manage feral cats or cats involved in trap-neuter-return (TNR) programs. A few jurisdictions have ordinances or programs in place that allow for the operation of TNRs. However, not every jurisdiction operates such a program or wants to. Provisions in the bill expressly prohibit an animal shelter from seizing, impounding, or taking custody of such cats and require that they are returned to their original location. In essence, this requires all jurisdictions to comply in part with TNR programs, with no deference to the local government or shelter to decide if there is a potential public safety danger in doing so.

It is pertinent that a county have the flexibility to address the presence of an un-owned feral cat in order to reduce the risk of potential disease transmissions and dangerous interactions with humans or house cats. Under 10-328 of the Local Government article, it is within the express power of a county to manage issues relating to nuisances and public health. Any wild animal at-large presents both health and safety concerns for residents of the community. Feral cats in particular may transmit fatal and dangerous non-fatal diseases to humans such as rabies, toxoplasmosis, cat scratch fever, and secondary bacterial infections. They may also transmit fatal diseases to domestic house cats such as feline leukemia and feline distemper. A feral cat can be a nuisance and in a TNR program. A shelter should not be forced to care for or return the feral cat to the field.

This bill sets extensive and costly mandates on local government animal shelters. The regulation of animal shelter operations should remain locally responsive, and reside with the local governments that operate them or contract out for their services. For these reasons MACo urges an **UNFAVORABLE** report on HB 876.