

# Howard County

## Internal Memorandum

SUBJECT: Council Testimony and Fiscal Impact Statement  
Animal Control Enforcement Bill

TO: Brandee Ganz  
Chief Administrative Officer

THROUGH: Greg Der, Chief  
Department of Police

FROM: Sheri Fox,  
Animal Control Administrator

DATE: September 26, 2024



In 2021, the Supreme Court of Maryland (f/k/a the Court of Appeals) decided the case of *Angel Enterprises Limited Partnership, et al. v. Talbot County, Maryland, et al.*, 254 A.3d 446 (Md. 2021). In this case, the Court ruled that civil penalties must be tried in the District Court of Maryland, not before an administrative board, such as the Animal Matters Hearing Board, because such administrative boards lacked the jurisdiction to hear such matters. In response to the decision in *Angel Enterprises*, Council Bill No. 60-2021 amended the County's Animal Control statute by removing certain provisions that allowed for the appeal of civil citations which included monetary penalties to the Animal Matters Hearing Board, with further appeal to the Board of Appeals.

Subsequently, the State legislature amended Section 4-406(b) of the *Courts & Judicial Proceedings* Article to allow for concurrent jurisdiction if a County so decides. In light of this change, the Department of Police wants to amend the County Code to provide that civil citations may be tried either in the District Court or before the Animal Matters Hearing Board (with appeals heard by the Board of Appeals), at the discretion of the Animal Control Administrator. This bill makes changes to the Animal Control statute to authorize the Animal Control Administrator to issue civil citations under Title 24, to be tried in the District Court, or tried before the Animal Matter Hearing Board under Title 17.321.

The advantage of allowing matters to proceed to the Animal Matters Hearing Board and subsequent Board of Appeals is expediency. Matters can proceed faster and are not part of the District Court docket.

Fiscal Impact

This change in the County Code is expected to have a positive fiscal impact because matters can be heard quicker which may result in more adjudications.

Thank you for your time and consideration.