

Annotated Code of Maryland

HEALTH-GENERAL

Subtitle 1. Exotic Birds.

§ 24-101. Definitions.

- (a) *In general.* – In this subtitle the following words have meanings indicated.
- (b) *Distribute.* – “Distribute” includes:
 - (1) Offering for sale,
 - (2) Selling;
 - (3) Bartering; and
 - (4) Giving away.
- (c) *Exotic bird.* – “Exotic bird” means a bird that is not native to this State.
- (d) *Permit.* – “Permit” means a permit issued by the Secretary to import, distribute, and breed exotic birds. (An. Code 1957, art. 43, § 29; 1982, ch. 240, § 2; 1987, ch. 306, § 2.)

§ 24-102. Permit required.

- (a) *In general.* – A person shall hold a permit issued by the Secretary before the person may import, distribute, or breed any exotic bird in this state.
- (b) *Exception.* – A permit is not required for a person:
 - (1) Legally to acquire and keep an exotic bird as a household pet; or
 - (2) To import, distribute, or breed any bird that is regulated by any program of the Department of Natural Resources.
- (c) *Separate permit for each facility.* – A separate permit is required for each facility where a person keeps an exotic bird. (An. Code 1957, art. 43, § 29; 1982, ch. 240, § 2; 1987, ch. 306, § 2.)

§ 24-103. Term and renewal of permits.

A permit expires on July 1 after its effective date, unless it is renewed for a 1-year term. (An. Code 1957, art. 43, § 29; 1982, ch. 240, § 2; 1987, ch. 306, § 2.)

§ 24-104. Display of permits.

Each permit shall be displayed conspicuously in the facility for which it is issued. (An. Code 1957, art. 43, § 29; 1982, ch. 240, § 2; 1987, ch. 306, § 2.)

§ 24-105. Cleanliness of facilities.

Each permit holder shall keep in a sanitary condition the facility for which the permit is issued. (A. Code 1957, art. 43, § 29; 1982, ch. 240, § 2; 1987, ch. 306, § 2.)

§ 24-106. Required records.

(a) *Form and content.* – On a form approved by the Secretary, each permit holder shall keep a record of the following information for each exotic bird received or disposed of by the permit holder or an agent of the permit holder:

- (1) At the time of receipt:
 - (i) The exotic bird's species;
 - (ii) The date of receipt and the number of exotic birds received; and
 - (iii) The name and address of the former owner; and
- (2) At the time of transfer:
 - (i) The exotic bird's species;
 - (ii) The date of transfer; and
 - (iii) The name and address of the new owner.

(b) *Retention.* – Each permit holder shall keep for at least 1 year, at the facility for which the permit is issued, any record required under this section. (An. Code 1957, art. 43, § 29; 1982, ch. 240, § 2; 1987, ch. 306, § 2.)

§ 24-107. Handling, treatment, and destruction of birds.

(a) *Permit holders to freeze dead bird.* – If a bird dies while in the possession of a permit holder, the permit holder shall freeze the bird immediately.

(b) *Duties of Secretary of Health and Mental Hygiene.* – The Secretary of Health and Mental Hygiene shall specify the methods for handling, treating, and destroying any bird that:

- (1) Dies while in the possession of a permit holder; or
- (2) In a case that involves psittacosis or any other disease that is contagious to human beings:
 - (i) Has the disease;
 - (ii) Is suspected of having the disease;
 - (iii) Is suspected of being a carrier of the disease;
 - (iv) Has been exposed to the disease; or
 - (v) Is kept at the same facility where the disease is discovered or suspected.

(c) *Duties of State Secretary of Agriculture.* – In a case that involves velogenic visertrophic Newcastle disease or any other disease that is contagious to domestic animals or poultry, the State Secretary of Agriculture shall specify the methods for handling, treating, and destroying any bird that:

- (1) Has the disease;
- (2) Is suspected of having the disease;
- (3) Is suspected of being a carrier of the disease;
- (4) Has been exposed to the disease, or
- (5) Is kept at the same facility where the disease is discovered or suspected. (An. Code 1957, art. 43, § 29; 1982, ch. 240, § 2; 1987, ch. 306, § 2.)

§ 24-108. Inspection.

(a) *Facilities of permit holder.* – The Secretary of Health and Mental Hygiene or a representative of the Secretary of Health and Mental Hygiene may inspect the facilities of any permit holder.

(b) *Records, etc, relating to certain infectious diseases.* – On request, any permit holder or the Secretary of Health and Mental Hygiene shall make available to the State Secretary of Agriculture any record, specimen, or other material necessary to diagnose or trace any infectious disease that:

- (1) Occurs in an exotic bird; and
- (2) Is contagious to domestic animals or poultry. (An. Code 1957, art. 43, § 29; 1982, ch. 240, § 2; 1987, ch. 306, § 2.)

§ 24-109. Importing, distributing, or breeding without permit.

Except as otherwise provided in this subtitle, a person may not import, distribute, or breed in this State any exotic bird, unless the person holds a permit issued by the Secretary. (An. Code 1957, art. 43, § 29; 1982, ch. 240, § 2; 1987, ch. 306, § 2.)

§ 24-110. Penalty.

A person who violates any provision of this subtitle or any rule, regulation, or order adopted or issued by the Secretary of Health and Mental Hygiene or the State Secretary of Agriculture under this subtitle is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000. (An. Code 1957, art. 43, § 29; 1982, ch. 240, § 2; 1987, ch. 306, § 2.)