

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 912

(Delegate Guyton, *et al.*)

Environment and Transportation

Education, Energy, and the Environment

**Local Government - Trap-Neuter-Return Policies for Community Cats -
Requirements and Restrictions (Ash's Law)**

This bill establishes statewide trap-neuter-return (TNR) policies for community cats that apply to all counties and municipalities. The bill supersedes and preempts any law, ordinance, policy, or regulation of any local government body and any policy or rule of any person or corporation that may otherwise prohibit or restrict the practice of TNR. The bill establishes that the prohibition against dropping or leaving a domestic animal on a road, in a public place, or on private property with the intent to abandon the animal, does not apply to a person providing care to a community cat under a TNR policy. A person who provides care to a community cat under the bill may not be deemed as having charge or custody of the community cat.

Fiscal Summary

State Effect: The bill does not materially affect State operations or finances.

Local Effect: Local expenditures may increase to the extent local governments have current TNR policies that do not meet the requirements set forth in the bill, as discussed below. Local revenues are not affected.

Small Business Effect: Potentially meaningful.

Analysis

Bill Summary:

Definitions

A “community cat” means a free roaming cat that may be cared for by one or more residents of the immediate area within which the cat is located. A community cat includes a feral cat.

A “community cat caregiver” means a person who provides care to a community cat, including food, shelter, or medical care, under a TNR policy in accordance with the bill. Community cat caregiver does not include a person who is considered the owner, harborer, controller, or keeper of a community cat.

“Eartip” means a procedure performed using anesthesia under the supervision of a licensed veterinarian that removes the distal one-quarter of the left ear of a community cat and is designed to identify a community cat as being sterilized and vaccinated for rabies.

TNR means to humanely trap, sterilize, vaccinate against rabies, eartip, and return a community cat to the location where the cat was originally trapped. TNR includes providing care to a community cat.

A TNR policy adopted by a local government must:

- authorize the trapping of a community cat to sterilize, vaccinate for rabies, and eartip in accordance with federal or state law;
- authorize a community cat caregiver to reclaim an impounded community cat without proof of ownership for the purpose of (1) carrying out a TNR policy, or (2) returning an eartipped cat to the location where the cat was originally trapped;
- require, unless veterinary care is needed or a location is deemed unsafe for return of an eartipped cat, that (1) an eartipped cat that is received by a local shelter be returned to the location where the cat was originally trapped, and (2) an eartipped cat that is trapped be returned on-site; and
- establish TNR as the preferred disposition of an impounded community cat.

A TNR policy adopted by a local government may not require any registration or certification process for a community cat caregiver.

Current Law: Under § 10-604 of the Criminal Law Article, a person who abuses or neglects an animal, including a person who has charge or custody of an animal and

unnecessarily fails to provide the animal with specified care, is guilty of a misdemeanor and subject to imprisonment for up to 90 days and/or a fine of up to \$1,000. As a condition of sentencing, a court may order a violator to (1) participate in and pay for psychological counseling, and (2) pay, in addition to any other fines and costs, all reasonable costs incurred in removing, housing, treating, or euthanizing an animal confiscated from the defendant. As a condition of probation, a court may prohibit a violator from owning, possessing, or residing with an animal.

A person who owns, possesses, or has custody of a domestic animal may not drop or leave the animal on a road, in a public place, or on private property with the intent to abandon the animal. A person who violates these provisions is guilty of a misdemeanor and subject to a fine up to \$100.

Spay/Neuter Fund and Spay and Neuter Grant Programs

Chapters 561 and 562 of 2013 established and Chapter 92 of 2022 subsequently extended the Spay/Neuter Fund through September 30, 2032. The purpose of the fund is to reduce animal shelter overpopulation and cat and dog euthanasia rates by financing grants to local governments and animal welfare organizations for programs that most efficiently facilitate and promote the provision of spay and neuter services for cats and dogs in the State. The fund receives revenue from a fee imposed on each registered brand name or product name of dog or cat food. The current fee, which will remain in effect until the fund's termination date, is \$100. Fees are paid by the person registering the pet food, in accordance with Maryland Department of Agriculture (MDA) guidelines.

MDA must solicit and evaluate grant proposals from local governments and animal welfare organizations for efforts to facilitate and promote the provision of spay and neuter services for cats and dogs. A competitive grant proposal (1) must target low-income communities and populations to the maximum extent possible and detail how that will be accomplished; (2) may target feral cat populations if MDA determines that it does not violate local law; (3) must facilitate and promote the provision of spay and neuter services for cats and dogs; and (4) may include public education and outreach components. Chapters 561 and 562 of 2013 require MDA to evaluate a grant proposal in accordance with these standards and any additional standards it adopts via regulation.

Local Regulation of Community Cats

Regulation of community cats is a highly localized process, with many local governments having their own rules and regulations governing the capture, care, and release of community cats.

Local Fiscal Effect: Local expenditures may increase to the extent local governments have current TNR policies that do not meet the requirements set forth in the bill. For example, Montgomery County advises that annual expenditures would increase by approximately \$151,000, beginning in fiscal 2027. This estimate assumes the hiring of one full-time position at an annual salary of \$91,000 and annual operating costs of \$60,000 to process 800-1,200 cat eartipping procedures at a cost of \$50-\$75 per cat per year. Montgomery County also noted the bill could lead to long-term cost savings for the county by reducing the number of cats and kittens entering the county's animal shelters which would serve to lower the annual costs associated with intake, daily care, and euthanasia of these cats.

Small Business Effect: To the extent a veterinary clinic is a small business, clinics could receive increased revenues from local governments or private citizens to administer various provisions of a TNR policy.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 750 (Senator Lewis Young, *et al.*) - Education, Energy, and the Environment.

Information Source(s): Judiciary (Administrative Office of the Courts); Kent, Montgomery, Washington, and Worcester counties; Maryland Municipal League; Department of Legislative Services

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