

SENATE BILL 1055

M4

4lr3305
CF HB 1030

By: **Senator Kramer**

Introduced and read first time: February 2, 2024

Assigned to: Education, Energy, and the Environment

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 3, 2024

CHAPTER _____

1 AN ACT concerning

2 **Agriculture – Roosters – Restrictions**

3 FOR the purpose of prohibiting, unless authorized by the Department of Agriculture, a
4 person from keeping a certain number of roosters on certain property beginning on
5 a certain date, subject to certain exceptions; authorizing the Department to work in
6 cooperation with a local animal control or law enforcement officer to enforce this Act;
7 and generally relating to restrictions on keeping roosters in the State.

8 BY adding to

9 Article – Agriculture

10 Section 3–105.2

11 Annotated Code of Maryland

12 (2016 Replacement Volume and 2023 Supplement)

13 Preamble

14 WHEREAS, Despite its illegality in Maryland, ongoing issues persist with
15 cockfighting; and

16 WHEREAS, Breeding roosters for cockfighting is directly linked to the spread of
17 Avian Flu; now, therefore,

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

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.



Article – Agriculture

3-105.2.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “PROPERTY” MEANS:

(I) A PARCEL OF LAND; OR

(II) A COMBINATION OF PARCELS OF LAND OPERATING AS A SINGLE UNIT.

(3) “ROOSTER” MEANS A MALE CHICKEN THAT:

(I) IS AT LEAST 6 MONTHS OLD;

(II) HAS FULLY DEVELOPED AN ADULT PLUMAGE; OR

(III) IS CAPABLE OF CROWING.

(B) THIS SECTION DOES NOT APPLY TO:

(1) COMMERCIAL POULTRY PRODUCERS, AS DEFINED IN § 8-704.2 OF THIS ARTICLE;

(2) A PUBLIC SCHOOL OR NONPUBLIC SCHOOL THAT RECEIVES STATE FUNDS;

(3) A GOVERNMENT-OPERATED ANIMAL SHELTER;

(4) AN ANIMAL WELFARE ORGANIZATION, AS DEFINED IN § 19-701 OF THE BUSINESS REGULATION ARTICLE; OR

(5) A MEMBER OF A 4-H OR FUTURE FARMERS OF AMERICA PROGRAM IF, ON REQUEST OF AN ANIMAL CONTROL OFFICER, AN OFFICER OF A COUNTY HUMANE SOCIETY, OR A POLICE OFFICER, THE MEMBER PROVIDES IN WRITING PROOF OF:

(I) MEMBERSHIP IN A 4-H OR FUTURE FARMERS OF AMERICA PROGRAM; AND

(II) AUTHORIZATION FROM THE COUNTY IN WHICH THE ROOSTERS ARE LOCATED THAT SPECIFIES:

1 1. **THE REASON FOR KEEPING MORE THAN 5 ROOSTERS**
2 **PER ACRE OR MORE THAN 25 ROOSTERS ON A PROPERTY;**

3 2. **THE NUMBER OF ROOSTERS THAT MAY BE KEPT;**

4 3. **THE BREED OF EACH ROOSTER THAT MAY BE KEPT;**

5 4. **THE DURATION OF TIME EACH ROOSTER MAY BE**
6 **KEPT; AND**

7 5. **THE ADDRESS OF THE PROPERTY WHERE EACH**
8 **ROOSTER MAY BE KEPT.**

9 **(C) BEGINNING JANUARY 1, 2026, UNLESS AUTHORIZED BY THE**
10 **DEPARTMENT, A PERSON MAY NOT:**

11 **(1) KEEP MORE THAN 5 ROOSTERS PER ACRE ON A SINGLE**
12 **PROPERTY; OR**

13 **(2) KEEP MORE THAN A TOTAL OF 25 ROOSTERS ON A SINGLE**
14 **PROPERTY.**

15 **(D) (1) THIS SECTION DOES NOT AFFECT THE AUTHORITY OF A COUNTY,**
16 **MUNICIPALITY, OR UNIT OF LOCAL GOVERNMENT TO ENACT AND ENFORCE**
17 **STANDARDS OR REQUIREMENTS RELATED TO ROOSTERS THAT ARE MORE**
18 **STRINGENT THAN THE REQUIREMENTS OF THIS SECTION.**

19 **(2) THIS SECTION DOES NOT LIMIT OR SUPERSEDE ANY OTHER**
20 **COUNTY, MUNICIPAL, OR STATE LAW, RULE, OR REGULATION THAT PROVIDES MORE**
21 **STRINGENT REQUIREMENTS REGARDING THE KEEPING OF ROOSTERS.**

22 **(E) A PERSON WHO VIOLATES THIS SECTION IS:**

23 **(1) GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO**
24 **A FINE NOT EXCEEDING \$1,000; OR**

25 **(2) SUBJECT TO ENFORCEMENT UNDER § 3-119 OF THIS SUBTITLE.**

26 **(F) THE DEPARTMENT MAY WORK IN COOPERATION WITH A LOCAL ANIMAL**
27 **CONTROL OR LAW ENFORCEMENT OFFICER TO ENFORCE THIS SECTION.**

1 (G) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO REQUIRE THE
2 DEPARTMENT TO CONDUCT ADDITIONAL INSPECTIONS BEYOND THOSE
3 INSPECTIONS REQUIRED BY LAW.

4 (H) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THIS
5 SECTION.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2024.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.