

HOUSE BILL 755

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2003 Regular Session
3r0680
CF 3r0681

By: **Delegates Hubbard, Frush, Benson, Bobo, Bronrott, V. Clagett, Cryor,
Goldwater, Gutierrez, Hurson, Lee, Madaleno, Moe, Montgomery, Oaks,
and Stern**

Introduced and read first time: February 7, 2003
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Agriculture - Confinement of Pregnant Sows and Gilts - Prohibition**

3 FOR the purpose of prohibiting a person from confining or tethering a pregnant sow
4 or gilt for a certain amount of time in certain manners; creating certain
5 exceptions to the prohibition; establishing certain penalties for a violation of this
6 Act; establishing that each instance of confining or tethering a single sow or gilt
7 constitutes a separate offense; providing for a delayed effective date of this Act;
8 and generally relating to the prohibition against confining or tethering pregnant
9 sows or gilts.

10 BY adding to

11 Article - Agriculture
12 Section 3-404.1
13 Annotated Code of Maryland
14 (1999 Replacement Volume and 2002 Supplement)

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

17 **Article - Agriculture**

18 3-404.1.

19 (A) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A
20 PERSON MAY NOT:

21 (I) CONFINE OR ALLOW TO BE CONFINED FOR ALL OR A MAJORITY
22 OF ANY DAY A PREGNANT SOW OR GILT IN A CAGE, GESTATION CRATE, OR OTHER
23 ENCLOSURE SO THAT THE SOW OR GILT IS UNABLE TO TURN AROUND IN A CIRCLE
24 WITHOUT HAVING TO TOUCH THE SIDE OF THE ENCLOSURE; OR

1 (II) TETHER OR ALLOW TO BE TETHERED A PREGNANT SOW OR
2 GILT AGAINST AN OBJECT SO THAT THE SOW OR GILT IS UNABLE TO TURN AROUND
3 IN A CIRCLE WITHOUT HAVING TO TOUCH THE OBJECT.

4 (2) A PERSON MAY PERFORM AN ACT DESCRIBED IN PARAGRAPH (1) OF
5 THIS SUBSECTION:

6 (I) DURING THE 7-DAY PERIOD BEFORE THE DATE ON WHICH THE
7 SOW OR GILT IS EXPECTED TO GIVE BIRTH;

8 (II) FOR A REASONABLY NECESSARY PERIOD OF TIME IF THE ACT IS
9 IN THE COURSE OF A VETERINARY EXAMINATION, TEST, TREATMENT, OR
10 OPERATION;

11 (III) WHILE FEEDING THE SOW OR GILT; OR

12 (IV) WHILE TRANSPORTING THE SOW OR GILT.

13 (B) (1) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A
14 MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT
15 EXCEEDING 90 DAYS OR A FINE NOT EXCEEDING \$1,000 OR BOTH.

16 (2) EACH INSTANCE OF CONFINING OR TETHERING A SINGLE SOW OR
17 GILT IN VIOLATION OF THIS SECTION CONSTITUTES A SEPARATE OFFENSE.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
19 effect October 1, 2008.