

SENATE BILL 271

Unofficial Copy  
M4

2003 Regular Session  
3r0681  
CF 3r0680

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By: **Senators Grosfeld, Britt, Jones, Pinsky, and Stone**  
Introduced and read first time: January 31, 2003  
Assigned to: Education, Health, and Environmental Affairs

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A BILL ENTITLED

1 AN ACT concerning

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

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

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 IN A CAGE, GESTATION CRATE, OR OTHER  
23 ENCLOSURE SO THAT THE SOW IS UNABLE TO TURN AROUND IN A CIRCLE WITHOUT  
24 HAVING TO TOUCH THE SIDE OF THE ENCLOSURE; OR

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

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

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

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

8                   (III)   WHILE FEEDING THE SOW; OR

9                   (IV)   WHILE TRANSPORTING THE SOW.

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

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

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