

# HOUSE BILL 1246

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71r2806  
CF SB 821

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By: **Delegates Ali, Bobo, Bronrott, Frush, Hubbard, Kaiser, Lawton,  
Montgomery, and Waldstreicher**

Introduced and read first time: February 21, 2007

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Agriculture – Confinement of Pigs During Pregnancy**

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

9 BY adding to

10 Article – Agriculture

11 Section 3–404.1

12 Annotated Code of Maryland

13 (1999 Replacement Volume and 2006 Supplement)

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

16 **Article – Agriculture**

17 **3–404.1.**

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (2)   **“FARM” MEANS THE LAND, BUILDING, SUPPORT FACILITIES,**  
2 **AND OTHER EQUIPMENT THAT IS WHOLLY OR PARTIALLY USED FOR THE**  
3 **PRODUCTION OF ANIMALS FOR FOOD OR FIBER.**

4           (3)   **“PIG” MEANS ANY ANIMAL OF THE PORCINE SPECIES.**

5           (4)   **“TURNING AROUND FREELY” MEANS HAVING THE ABILITY TO**  
6 **TURN AROUND IN A COMPLETE CIRCLE WITHOUT:**

7                   (I)   **ANY IMPEDIMENT, INCLUDING A TETHER; OR**

8                   (II) **TOUCHING ANY SIDE OF AN ENCLOSURE.**

9           (b)   **EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A**  
10 **PERSON MAY NOT TETHER OR CONFINE A PIG DURING PREGNANCY ON A FARM,**  
11 **FOR ALL OR THE MAJORITY OF ANY DAY, AND IN A MANNER THAT PREVENTS**  
12 **THE PIG FROM:**

13                   (1)   **LYING DOWN AND FULLY EXTENDING ITS LIMBS; OR**

14                   (2)   **TURNING AROUND FREELY.**

15           (c)   **A PERSON MAY TETHER OR CONFINE A PIG IN A MANNER**  
16 **DESCRIBED IN SUBSECTION (B) OF THIS SECTION:**

17                   (1)   **DURING THE 7-DAY PERIOD BEFORE THE PIG’S EXPECTED**  
18 **DATE OF GIVING BIRTH;**

19                   (2)   **DURING AN EXAMINATION, OPERATION, TEST, OR**  
20 **INDIVIDUALIZED TEMPORARY TREATMENT FOR VETERINARY PURPOSES;**

21                   (3)   **WHILE TRANSPORTING THE PIG;**

22                   (4)   **DURING RODEO EXHIBITIONS, STATE OR COUNTY FAIR**  
23 **EXHIBITIONS, OR OTHER SIMILAR EXHIBITIONS;**

24                   (5)   **DURING THE KILLING OF A PIG IN ACCORDANCE WITH TITLES**  
25 **3 AND 4 OF THIS ARTICLE AND ANY OTHER APPLICABLE LAWS AND**  
26 **REGULATIONS; AND**

1                   **(6) WHILE INVOLVED IN LAWFUL, SCIENTIFIC, OR AGRICULTURAL**  
2 **RESEARCH.**

3                   **(D) (1) A PERSON THAT IS CONVICTED OF A VIOLATION OF THIS**  
4 **SECTION IS GUILTY OF A MISDEMEANOR AND IS SUBJECT TO IMPRISONMENT**  
5 **FOR NOT MORE THAN 90 DAYS, OR A FINE NOT EXCEEDING \$1,000, OR BOTH.**

6                   **(2) EACH INSTANCE OF TETHERING OR CONFINING A SINGLE PIG**  
7 **IN VIOLATION OF THIS SECTION CONSTITUTES A SEPARATE OFFENSE.**

8                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9 October 1, 2007.