

Chapter 184

(Senate Bill 375)

AN ACT concerning

~~Agriculture – Roosters~~ Criminal Law – Restrictions on Keeping Roosters

FOR the purpose of prohibiting, ~~unless authorized by the Department of Agriculture beginning on a certain date,~~ a certain person from keeping a ~~rooster movement-constrained through the use of a certain enclosure or tether certain number of roosters on certain property beginning on a certain date,~~ subject to certain exceptions; ~~authorizing the Department to work in cooperation with a local animal control or law enforcement officer to enforce this Act;~~ and generally relating to restrictions on keeping roosters in the State.

BY adding to

Article – ~~Agriculture~~ Criminal Law

Section ~~3-105.2~~ 10-608.1

Annotated Code of Maryland

~~(2016)~~ (2021 Replacement Volume and 2024 Supplement)

Preamble

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

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

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

~~Article – Agriculture~~

~~3-105.2.~~

Article – Criminal Law

10-608.1.

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

(2) “ENCLOSURE” MEANS A STRUCTURE USED FOR CONFINEMENT, INCLUDING A WIRE CAGE OR AN ITEM TRADITIONALLY USED FOR ANOTHER PURPOSE SUCH AS A WATER TANK OR PLASTIC BARREL, THAT:

(I) IS USED TO PROVIDE LONG-TERM HOUSING FOR ONE ADULT ROOSTER; AND

(II) PREVENTS INTERACTION WITH OTHER ROOSTERS.

~~(2)~~ (3) “PROPERTY” MEANS:

(I) A PARCEL OF LAND; OR

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

~~(3)~~ (4) “ROOSTER” MEANS A MALE CHICKEN THAT:

(I) IS AT LEAST 6 MONTHS OLD;

~~HAS~~ HAS FULLY DEVELOPED AN ADULT PLUMAGE; OR

~~IS~~ IS CAPABLE OF CROWING.

(B) THIS SECTION DOES NOT APPLY TO:

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

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

(3) ~~A~~ A GOVERNMENT-OPERATED ANIMAL SHELTER;

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

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

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

1. ~~THE~~ THE REASON FOR KEEPING ~~MORE THAN 5 ROOSTERS PER ACRE OR MORE THAN 25~~ ROOSTERS ON A PROPERTY;
2. ~~THE~~ THE NUMBER OF ROOSTERS THAT MAY BE KEPT;
3. ~~THE~~ THE BREED OF EACH ROOSTER THAT MAY BE KEPT;
4. ~~THE~~ THE DURATION OF TIME EACH ROOSTER MAY BE KEPT; AND
5. ~~THE~~ THE ADDRESS OF THE PROPERTY WHERE EACH ROOSTER MAY BE KEPT; OR

(6) A PERSON IF, ON REQUEST OF AN ANIMAL CONTROL OFFICER, AN OFFICER OF A COUNTY HUMANE SOCIETY, OR A POLICE OFFICER, THE PERSON PROVIDES IN WRITING PROOF THAT THE PERSON KEPT MORE ADULT HENS THAN ROOSTERS WITHIN THE IMMEDIATELY PRECEDING 6-MONTH PERIOD.

(C) BEGINNING JANUARY 1, 2027, ~~UNLESS AUTHORIZED BY THE DEPARTMENT,~~ A PERSON WHO KEEPS ROOSTERS THAT ARE MAINTAINED INDIVIDUALLY ~~AND KEPT~~ MAY NOT KEEP A ROOSTER MOVEMENT-CONSTRAINED THROUGH THE USE OF AN ENCLOSURE OR TETHER ~~MAY NOT~~:

- ~~(1) KEEP MORE THAN 5 ROOSTERS PER ACRE ON A SINGLE PROPERTY; OR~~
- ~~(2) KEEP MORE THAN A TOTAL OF 25 ROOSTERS ON A SINGLE PROPERTY.~~

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

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

(E) ~~A PERSON WHO VIOLATES THIS SECTION IS:~~

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

~~(2) SUBJECT TO ENFORCEMENT UNDER § 3-119 OF THIS SUBTITLE~~

(1) A VIOLATION OF THIS SECTION IS A CIVIL OFFENSE.

(2) A PERSON WHO VIOLATES THIS SECTION IS SUBJECT TO:

(I) FOR A FIRST OFFENSE, A WARNING;

(II) FOR A SECOND OFFENSE, A CIVIL PENALTY OF UP TO \$500 PER ROOSTER; AND

(III) FOR A THIRD OR SUBSEQUENT OFFENSE, A CIVIL PENALTY OF UP TO \$1,000 PER ROOSTER.

(3) THIS SECTION MAY BE ENFORCED BY:

(I) ANY STATE OR LOCAL LAW ENFORCEMENT OFFICER; OR

(II) A LOCAL ANIMAL CONTROL AUTHORITY FOR THE JURISDICTION WHERE THE VIOLATION OCCURS.

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

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

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

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2025.

Approved by the Governor, April 22, 2025.