

Department of Legislative Services

Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE

Third Reader - Revised

House Bill 513

(Delegate Allen, *et al.*)

Environment and Transportation

Education, Energy, and the Environment

Crimes Relating to Animals - Restrictions on Keeping Roosters

This bill prohibits, beginning January 1, 2027, and with specified exceptions, a person who keeps roosters that are maintained individually from keeping a “rooster” movement-constrained through the use of an “enclosure” or tether. A violation of the bill is a civil offense; related penalties are established. The bill may be enforced by any State or local law enforcement officer or a local animal control authority for the jurisdiction where the violation occurs. The bill does not affect the authority of a county, municipality, or unit of local government to enact and enforce more stringent standards or requirements related to roosters or limit or supersede any other county, municipal, or State law, rule, or regulation that provides more stringent requirements regarding the keeping of roosters.

Fiscal Summary

State Effect: Potential minimal increase in general fund revenues due to the bill’s penalty provisions. Any State enforcement can be handled with existing resources.

Local Effect: Local government expenditures for local animal control and law enforcement agencies may increase in some jurisdictions, but any such increase is anticipated to be minimal, as discussed below. Local revenues are not affected.

Small Business Effect: None.

Analysis

Bill Summary: The bill’s prohibition does not apply to:

- commercial poultry producers;
- a public school or nonpublic school that receives State funds;

- a government-operated animal shelter;
- an animal welfare organization;
- a member of a 4-H or Future Farmers of America (FFA) 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 membership in a 4-H or FFA program and authorization from the county in which the roosters are located that specifies (1) the reason for keeping roosters on a “property”; (2) the number of roosters that may be kept; (3) the breed of each rooster that may be kept; (4) the duration of time each rooster may be kept; and (5) the address of the property where each rooster may be kept; or
- 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 six-month period.

A person who violates the bill is subject to (1) for a first offense, a warning; (2) for a second offense, a civil penalty of up to \$500 per rooster; and (3) for a third or subsequent offense, a civil penalty of up to \$1,000 per rooster.

“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 is used to provide long-term housing for one adult rooster and prevents interaction with other roosters. “Property” means a parcel of land or a combination of parcels of land operating as a single unit. “Rooster” means a male chicken that is at least six months old, has fully developed an adult plumage, or is capable of crowing.

Current Law: While there are provisions in the Agriculture Article that relate to the regulation of infectious and contagious poultry diseases and the regulation of poultry to protect animal health and the control of avian influenza, statute does not contain specific restrictions on keeping roosters. However, Title 10, Subtitle 6 of the Criminal Law Article, to which the bill’s provisions are added, contains several offenses concerning the improper treatment of animals, including cockfighting.

Aggravated Cruelty to Animals – Cockfights

In general, a person may not (1) use or allow the use of a fowl, cock, or other bird to fight with another animal; (2) possess, with the intent to unlawfully use, an implement of cockfighting; (3) arrange or conduct a fight in which a fowl, cock or other bird fights with another fowl, cock, or other bird; (4) possess, own, sell, transport, or train a fowl, cock, or other bird with the intent to use the fowl, cock, or other bird in a cockfight; or (5) knowingly allow premises under the person’s ownership, charge, or control to be used to conduct a fight in which a fowl, cock, or other bird fights with another fowl, cock, or other bird. A

person who violates any of these prohibitions is guilty of the felony of aggravated cruelty to animals and on conviction is subject to imprisonment for up to three years and/or a maximum fine of \$5,000. As a condition of sentencing, the court may (1) order a defendant convicted of violating these provisions to participate in and pay for psychological counseling and pay, in addition to any other fines and costs, all reasonable costs occurred in removing, housing, treating, or euthanizing an animal confiscated from the defendant and (2) prohibit a defendant from owning, possessing, or residing with an animal for a specified period of time.

Attending a Cockfight

A person may not knowingly attend as a spectator a deliberately conducted event that uses a fowl, cock, or other bird to fight with another fowl, cock, or other bird. A violator is guilty of a misdemeanor and on conviction is subject to imprisonment for up to one year and/or a maximum fine of \$2,500. As a condition of sentencing, the court may order a defendant convicted of violating this provision to participate in and pay for psychological counseling.

Local Expenditures: The bill authorizes – but does not require – any local law enforcement officer or a local animal control authority to enforce the bill. To the extent local law enforcement agencies and local animal control agencies are involved with enforcement, local government expenditures may increase in some jurisdictions. The Maryland Association of Counties and the Maryland Municipal League both advise, however, that the impact on local expenditures is anticipated to be minimal.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 375 (Senator Kramer) - Education, Energy, and the Environment.

Information Source(s): Anne Arundel, Baltimore, Cecil, and Frederick counties; Maryland Association of Counties; City of Frederick; Maryland Municipal League; Maryland State Commission on Criminal Sentencing Policy; Judiciary (Administrative Office of the Courts); Office of the Public Defender; Department of State Police; Maryland Department of Agriculture; Department of Legislative Services

Fiscal Note History: First Reader - February 11, 2025
km/lgc
Third Reader - March 24, 2025
Revised - Amendment(s) - March 24, 2025
Revised - Clarification - March 24, 2025

Analysis by: Beatrice F. Amoateng

Direct Inquiries to:
(410) 946-5510
(301) 970-5510