

***AN ACT CONCERNING THE ESTABLISHMENT OF THE CONNECTICUT LIVESTOCK CARE STANDARDS ADVISORY COUNCIL AND THE CONFINEMENT OF SOWS DURING GESTATION.***

*Be it enacted by the Senate and House of Representatives in General Assembly convened:*

Sec 1. Title 22 of the General Statutes entitled "AGRICULTURE. DOMESTIC ANIMALS" is hereby amended by adding thereto the following chapter:

**CHAPTER 439. CONNECTICUT LIVESTOCK CARE STANDARDS ADVISORY COUNCIL**

**22-458. Definitions.** As used in this chapter, "Commissioner" means the Commissioner of the Connecticut Department of Agriculture; "council" means the Connecticut Livestock Care Standards Advisory Council; "livestock" means any camelid, hooved animal, or poultry raised for domestic or commercial use.

**22-459. Connecticut Livestock Care Standards Advisory Council. Membership.**

(a) There is established the Connecticut Livestock Care Standards Advisory Council which shall be within the Department of Agriculture.

(b) The council shall consist of seven (7) members appointed by the Commissioner as follows:

(1) The Connecticut State Veterinarian, as defined in section 22-26f, or his or her designee;

(2) A Connecticut-based veterinarian who is a member of The Humane Society Veterinary Medical Association, or his or her designee;

(3) A representative from the Connecticut Farm Bureau, or his or her designee;

(4) A Connecticut-based livestock or poultry farmer who maintains a current membership in a humane certification program, including but not limited to Global Animal Partnership's 5-Step Program, Certified Humane, or Animal Welfare Approved;

(5) A representative from the Connecticut Agricultural Experiment Station, or his or her designee;

(6) A representative from the national nonprofit animal welfare entity The Humane Society of the United States, or his or her designee;

(7) A representative from CT NOFA (the Connecticut Chapter of the Northeast Organic Farming Association), or his or her designee.

(b) The council shall elect a chairperson and a vice-chairperson from among its members. Any person absent from (A) three consecutive meetings of the commission or (B) fifty per cent of such meetings during any calendar year shall be deemed to have resigned from the council, effective immediately. Vacancies on the council shall be filled by the Commissioner.

(c) The council shall meet at least quarterly and at the call of the chairperson or four (4) members of the council. A majority of seats filled shall constitute a quorum.

(d) Members of the council serve without compensation but shall, within the limits of available funds, be reimbursed for expenses necessarily incurred in the performance of their duties.

**22-460. Connecticut Livestock Care Standards Advisory Council. Duties.**

The council shall:

(a) Review and evaluate laws and rules of the state applicable to the care and handling of livestock as defined in section 22-458 including, but not limited to:

(1) The overall health and welfare of livestock species;

(2) Agricultural operation best management practices;

(3) Biosecurity and disease prevention;

(4) Humane transport and slaughter practices; and

(5) Any other matters the council considers necessary for the proper care and well-being of livestock animals in the state.

(b) Respond to requests from the legislature for information and comments on proposed legislation;

(c) Submit policy recommendations to the Commissioner and general assembly on any of the matters set forth in subsection (a) of this section, provided that such recommendations may only be submitted after a public hearing on the matter.

**22-461. Reporting requirements.**

(a) The council shall provide a report of its recommendations and findings to the governor and the general assembly within six months of the effective date of this act.

(b) Thereafter, the council shall provide an annual report concerning its activities with any appropriate recommendations concerning livestock care.

(c) The council shall be subject to the provisions of the Connecticut Freedom of Information Act, Title 1, Chapter 14.

**22-462. Council authorized to use available funds and to enter into contracts.** The Connecticut Livestock Care Standards Advisory Council may utilize federal, state, or other available funds, and may enter into contracts to carry out the purposes of section 22-460.

Sec 2. Amends Title 53, Chapter 945 of the General Statutes entitled "Cruelty to Animals" by adding thereto a new section designated as Section 53-255, which shall read as follows:

**53-355. Confinement of Sows During Gestation**

(a) For the purposes of this section:

(1) "Covered animal" means a sow during gestation that is kept on a farm.

(2) “Crate” means any cage, crate, or other device (including what is commonly described as a “gestation crate” for sows) used to confine a covered animal.

(3) “Farm” means the land, building, support facilities, and other equipment that are wholly or partially used for the commercial production of animals or animal products used for food or fiber; and does not include live animal markets.

(4) “Farm owner or operator” means any person who owns or controls the operation of a farm, and does not include any non-management employee, contractor, or consultant.

(5) “Fully extending the animal’s limbs” means fully extending all limbs without touching the side of an enclosure.

(6) “Person” means any individual, firm, partnership, joint venture, association, limited liability company, corporation, estate, trust, receiver, or syndicate.

(7) “Sow during gestation” means a pregnant pig of the porcine species kept for the purpose of breeding.

(8) “Turning around freely” means turning in a complete circle without any impediment including a tether, and without touching the side of a crate.

(b) The purpose of this section, subject to exceptions, is to prohibit the confinement of sows during gestation in a manner that prevents them from turning around freely, lying down, standing up, or fully extending their limbs

(c) Notwithstanding any other provision of law, a person is guilty of unlawful confinement of a covered animal if the person is a farm owner or operator who knowingly tethers or confines any covered animal in a manner that prevents such animal from turning around freely, lying down, standing up, or fully extending the animal’s limbs.

(d) This section shall not apply:

(1) During medical research.

(2) During examination, testing, individual treatment or operation for veterinary purposes.

(3) During transportation.

(4) During rodeo exhibitions, state or county fair exhibitions, 4-H programs, and similar exhibitions or educational programs.

(5) During temporary confinement for animal husbandry purposes for no more than six hours in any twenty-four hour period.

(6) During the humane slaughter of a covered animal in accordance applicable state and federal laws and regulations.

(7) To a sow during the seven-day period prior to the sow’s expected date of giving birth.

(e) The provisions of this section are in addition to, and not in lieu of, any other laws protecting animal welfare. This section may not be construed to limit any other more stringent state laws or rules protecting the welfare of animals or to prevent a local governing body from adopting and enforcing its own animal welfare laws and regulations.

It is not an affirmative defense to alleged violations of this section that the calf or sow was kept as part of an agricultural operation and in accordance with customary animal husbandry or farming practices.

(f) Any person who violates the provisions of this section shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

Sec 3. If any provision of this act, or the application thereof to any person or circumstances, is held invalid or unconstitutional, that invalidity or unconstitutionality shall not affect other provisions or applications of this act that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this act are severable.

Sec. 4. This act shall take effect one year after its passage.