

SENATE No. 2232

The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

An Act act to ensure continued humane animal care in Massachusetts.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 272 of the General Laws is hereby amended by adding the
2 following section:--

3 Section 106.

4 (a) The purpose of this section, subject to exceptions, is to prohibit the confinement of
5 farm animals in a manner that does not allow them to turn around freely, lie down, stand up, and
6 fully extend their limbs.

7 (b) Notwithstanding any other provision of law, a person is guilty of unlawful
8 confinement of a covered farm animal if the person is a farm owner or operator who knowingly
9 tethers or confines any covered animal, on a farm, for all or the majority of any day, in a manner
10 that prevents such animal from:

11 (1) Lying down, standing up, and fully extending his or her limbs; and

12 (2) Turning around freely.

13 (c) This section shall not apply:

14 (1) During medical, scientific, or agricultural research.

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

17 (3) During transportation.

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

20 (5) During the slaughter of a covered animal in accordance with the provisions of
21 Chapter 94, sections 139C and 139D of the General Laws, and other applicable laws and
22 regulations.

23 (6) To a pig during the seven-day period prior to the pig's expected date of giving
24 birth.

25 (d) For the purposes of this section:

26 (1) "Calf raised for veal" means any calf of the bovine species kept for the
27 purpose of producing the food product described as veal.

28 (2) "Covered animal" means any pig during pregnancy, or calf raised for veal who
29 is kept on a farm.

30 (3) "Enclosure" means any cage, crate, or other structure (including what is
31 commonly described as a "gestation crate" for pigs; or a "veal crate" for calves used to confine a
32 covered animal).

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

36 (5) "Farm owner or operator" means any person who owns or controls the
37 operation of a farm, and does not include any non-management employee, contractor, or
38 consultant.

39 (6) "Fully extending his or her limbs" means fully extending all limbs without
40 touching the side of an enclosure

41 (7) "Person" means any individual, firm, partnership, joint venture, association,
42 limited liability company, corporation, estate, trust, receiver, or syndicate.

43 (8) "Pig during pregnancy" means any pregnant pig of the porcine species kept for
44 the primary purpose of breeding.

45 (9) "Turning around freely" means turning in a complete circle without any
46 impediment, including a tether, and without touching the side of an enclosure.

47 (e) Any person who violates any of the provisions of this chapter is guilty of a
48 misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed one
49 thousand dollars (\$1,000).

SECTION 2. This chapter shall take effect one year after its passage.