

**STORAGE NAME:** h1029z.ag  
**DATE:** May 4, 2000

**\*\*FAILED TO PASS THE LEGISLATURE\*\***

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON  
AGRICULTURE  
FINAL ANALYSIS**

**BILL #:** HB 1029  
**RELATING TO:** Animal Cruelty  
**SPONSOR(S):** Representative Rayson  
**TIED BILL(S):** None

**ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:**

- (1) AGRICULTURE
  - (2) CRIME & PUNISHMENT
  - (3) CRIMINAL JUSTICE APPROPRIATIONS
  - (4)
  - (5)
- 

**I. SUMMARY:**

HB 1029 provides penalties for tethering or confining a breeding sow or calf in an enclosure too small to stand, move around, or lie down, with some exceptions. Violation of this provision constitutes a misdemeanor of the first degree, punishable by imprisonment not exceeding one year or a fine of \$1,000.

This legislation has no fiscal impact to the state and the effective date is upon becoming law.

**HB 489 was not considered and, therefore, died in the Agriculture Committee.**

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- |                                   |                              |  |   |
|-----------------------------------|------------------------------|--|---|
| 1. <u>Less Government</u>         | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | N/A <input type="checkbox"/>            |
| 2. <u>Lower Taxes</u>             | Yes <input type="checkbox"/> | No <input type="checkbox"/>            | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u>      | Yes <input type="checkbox"/> | No <input type="checkbox"/>            | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/>            | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u>      | Yes <input type="checkbox"/> | No <input type="checkbox"/>            | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

**Less Government:** This legislation would add further regulations regarding animal cruelty.

B. PRESENT SITUATION:

N/A

C. EFFECT OF PROPOSED CHANGES:

**Section 1:** Prohibits the tethering or confinement of a breeding sow or calf in an enclosure too small to stand, turn around, or lie down without any physical impediments. Violations of this provision constitute a misdemeanor of the first degree, punishable by imprisonment not exceeding one year or a fine of \$1,000. Exceptions to the provision include:

- when a sow or calf is undergoing a veterinarial examination, test, treatment, or operation; or
- during the 7 days prior to a sow's expected date of giving birth and while the sow is nursing her young.

**Section 2:** Provides an effective date of upon becoming law.

D. SECTION-BY-SECTION ANALYSIS:

Please see Section C. (Effect of Proposed Changes).

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

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2. Expenditures:

None

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

N/A

D. FISCAL COMMENTS:

N/A

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to spend funds or to take action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority that municipalities or counties have to raise revenue in the aggregate.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce any state tax shared with counties or municipalities.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

None

B. RULE-MAKING AUTHORITY:

None

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C. OTHER COMMENTS:

None

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VII. SIGNATURES:

COMMITTEE ON AGRICULTURE:

Prepared by:

Staff Director:

Debbi Kaiser

Susan D. Reese

**FINAL ANALYSIS PREPARED BY THE COMMITTEE ON AGRICULTURE:**

Prepared by:

Staff Director:

Debbi Kaiser

Susan D. Reese