

By Senator Bennett

21-01080-11

20111636__

1 A bill to be entitled
2 An act relating to the protection of farm animals;
3 defining terms; prohibiting a farm owner or operator
4 from tethering or confining certain specified covered
5 farm animals in a specified manner; providing
6 exceptions; authorizing the Department of Agriculture
7 and Consumer Services or the Attorney General to bring
8 a civil action against a farm owner or operator to
9 restrain any act or practice that illegally tethers or
10 confines a covered farm animal; rejecting certain
11 defenses against civil actions; providing that the act
12 is in addition to any other law protecting animal
13 welfare; providing for staggered dates of application
14 to specified animals; providing an effective date.

15
16 Be It Enacted by the Legislature of the State of Florida:

17
18 Section 1. (1) As used in this section, the term:

19 (a) "Calf raised for veal" means any calf of the bovine
20 species which is kept for the purpose of producing the food
21 product described as veal.

22 (b) "Covered farm animal" means any calf raised for veal or
23 egg-laying hen that is kept on a farm.

24 (c) "Department" means the Department of Agriculture and
25 Consumer Services.

26 (d) "Egg-laying hen" means any female domesticated chicken,
27 turkey, duck, goose, or guinea fowl that is kept for the purpose
28 of egg production.

29 (e) "Enclosure" means any cage, crate, or other structure

21-01080-11

20111636__

30 used to confine a covered animal. The term includes a veal crate
31 for calves raised for veal and a battery cage for egg-laying
32 hens.

33 (f) "Farm" means the land, buildings, support facilities,
34 and other equipment that are wholly or partially used for the
35 commercial production of animals or animal products used for
36 food or fiber. The term does not include a live animal market.

37 (g) "Farm owner or operator" means any person who owns or
38 controls the operation of a farm.

39 (h) "Fully extending its limbs" means fully extending all
40 limbs without touching the side of an enclosure or, in the case
41 of egg-laying hens, fully spreading both wings without touching
42 the side of an enclosure or other egg-laying hens and having
43 access to at least 1.5 square foot of usable floor space per
44 hen.

45 (i) "Person" has the same meaning as provided in s. 1.01,
46 Florida Statutes.

47 (j) "Turning around freely" means turning in a complete
48 circle without any impediment, including a tether, and without
49 touching the side of an enclosure or another animal.

50 (2) Notwithstanding any other law, a farm owner or operator
51 may not tether or confine any covered farm animal on a farm for
52 all or the majority of any day in a manner that prevents the
53 covered farm animal from doing any of the following:

54 (a) Lying down, standing up, or fully extending its limbs.

55 (b) Turning around freely.

56 (3) The prohibitions of subsection (2) do not apply to a
57 covered farm animal during any of the following:

58 (a) Scientific or agricultural research.

21-01080-11

20111636__

59 (b) Examination, testing, individual treatment, or
60 operation for veterinary purposes by a person licensed to
61 practice veterinary medicine.

62 (c) Transportation.

63 (d) Rodeo exhibitions, state or county fair exhibitions, 4-
64 H programs, and similar exhibitions.

65 (e) The slaughter of a covered animal in accordance with
66 applicable law and rules.

67 (4) The department or the Attorney General may bring a
68 civil action to restrain, by temporary or permanent injunction,
69 any act or practice that violates this section. The action may
70 be brought in the circuit court for the county where the
71 defendant resides or conducts business. The court may issue a
72 temporary or permanent injunction and issue other equitable
73 orders or judgments. A defense described and made available as
74 relating to customary animal husbandry or farming practices
75 involving livestock is not a defense to an action brought for
76 the violation of this section involving a covered farm animal.

77 (5) This section is in addition to, and not in lieu of, any
78 other law protecting animal welfare. This section does not limit
79 any other state law or rule protecting the welfare of animals.

80 (6) (a) This section does not apply to calves raised for
81 veal until October 1, 2012.

82 (b) This section does not apply to egg-laying hens until
83 July 1, 2020.

84 Section 2. This act shall take effect July 1, 2011.