

CHAPTER 228

AGRICULTURE

SENATE BILL 08-201

BY SENATOR(S) Isgar, Gibbs, Schwartz, and Windels;
also REPRESENTATIVE(S) Curry, Green, Scanlan, Stafford, and Todd.

AN ACT**CONCERNING REQUIREMENTS FOR CONFINEMENT OF SPECIFIED LIVESTOCK.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Legislative declaration. (1) The general assembly hereby finds, determines, and declares that certain livestock confinement practices should be addressed. As required by article 50.5 of title 35, Colorado Revised Statutes, calves raised for veal and gestating sows should be kept in a way that allows such animals to freely stand up, lie down, and turn around without touching the sides of their enclosure.

(2) The general assembly further finds, determines, and declares that the commissioner of agriculture is encouraged to establish a process to consider questions arising in the future about livestock husbandry and humane livestock production practices.

SECTION 2. Title 35, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW ARTICLE to read:

ARTICLE 50.5
Confinement of Calves Raised for
Veal and Pregnant Sows

35-50.5-101. Definitions. AS USED IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "CALF RAISED FOR VEAL" MEANS A MEMBER OF THE BOVINE SPECIES KEPT FOR THE PURPOSE OF PRODUCING THE FOOD PRODUCT KNOWN AS VEAL.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(2) "FARROWING" MEANS THE PROCESS OF A GESTATING SOW GIVING BIRTH TO OFFSPRING.

(3) "FARROWING UNIT" MEANS A STRUCTURE IN WHICH A SINGLE GESTATING SOW IS KEPT IMMEDIATELY PRIOR TO AND DURING FARROWING FOR THE PURPOSES OF PROVIDING CARE TO THE SOW AND THE SOW'S OFFSPRING.

(4) "GESTATING SOW" MEANS A CONFIRMED PREGNANT MEMBER OF THE PORCINE SPECIES.

(5) "PERSON" SHALL HAVE THE MEANING SET FORTH IN SECTION 2-4-401, C.R.S.

35-50.5-102. Confinement of calves raised for veal and pregnant sows - exceptions - penalty. (1) NO PERSON SHALL CONFINE A CALF RAISED FOR VEAL OR GESTATING SOW IN ANY MANNER OTHER THAN THE FOLLOWING:

(a) A CALF RAISED FOR VEAL SHALL BE KEPT IN A MANNER THAT ALLOWS THE CALF TO STAND UP, LIE DOWN, AND TURN AROUND WITHOUT TOUCHING THE SIDES OF ITS ENCLOSURE.

(b) A GESTATING SOW SHALL BE KEPT IN A MANNER THAT ALLOWS THE SOW TO STAND UP, LIE DOWN, AND TURN AROUND WITHOUT TOUCHING THE SIDES OF ITS ENCLOSURE UNTIL NO EARLIER THAN TWELVE DAYS PRIOR TO THE EXPECTED DATE OF FARROWING. AT THAT TIME, A GESTATING SOW MAY BE KEPT IN A FARROWING UNIT.

(2) THIS SECTION SHALL NOT APPLY DURING THE FOLLOWING:

(a) PERIODS OF SCIENTIFIC OR AGRICULTURAL RESEARCH;

(b) EXAMINATION, TESTING, OR INDIVIDUAL VETERINARY TREATMENT;

(c) TRANSPORTATION;

(d) EXHIBITIONS AT RODEOS, FAIRS, OR YOUTH PROGRAMS; OR

(e) SLAUGHTER PURSUANT TO ARTICLE 33 OF THIS TITLE AND RULES ADOPTED PURSUANT TO ARTICLE 33 OF THIS TITLE.

(3) A PERSON WHO VIOLATES ANY PROVISION OF THIS SECTION COMMITS A CLASS 2 MISDEMEANOR AND SHALL BE PUNISHED AS PROVIDED IN SECTION 18-1.3-501, C.R.S.

35-50.5-103. Applicability. (1) THIS ARTICLE SHALL APPLY TO:

(a) CALVES RAISED FOR VEAL, ON AND AFTER JANUARY 1, 2012; AND

(b) GESTATING SOWS, ON AND AFTER JANUARY 1, 2018.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 14, 2008