SENATE, No. 998

STATE OF NEW JERSEY

216th LEGISLATURE

INTRODUCED JANUARY 27, 2014

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Senator Turner, Assemblywoman Jasey, Assemblyman Diegnan,
Assemblywoman Vainieri Huttle, Assemblymen McKeon and Coughlin

SYNOPSIS
Directs State Board of Agriculture and Dept. of Agriculture to adopt regulations concerning confinement of pregnant sows during gestation.

CURRENT VERSION OF TEXT
As reported by the Senate Economic Growth Committee on January 30, 2014, with amendments.

(Sponsorship Updated As Of: 10/17/2014)
AN ACT concerning confinement of pregnant sows during gestation
and supplementing Title 4 of the Revised Statutes.

BE IT ENACTED by the Senate and General Assembly of the State
of New Jersey:

1. a. For the purposes of this section:
   “Enclosure” means any cage, crate, stall, or other structure used
for confinement of an animal, including what is commonly
described as a “gestation crate.”
   “Fully extending the limbs of the animal” means fully extending
all limbs without touching the side of an enclosure.
   “Sow during gestation” means a pregnant female pig kept for the
purpose of breeding.
   “Turning around freely” means turning in a complete circle
without any impediment and without touching the side of an
enclosure.
   b. Within six months after the date of enactment of this act, the
State Board of Agriculture, in consultation with the Department of
Agriculture, shall develop and adopt, pursuant to the
seq.) and with an effective date of no later than December 31, 2017,
rules and regulations:
   (1) prohibiting the confinement of any sow during gestation in an
enclosure in a manner that prevents the sow from turning around
freely, lying down, standing up, or fully extending the limbs of the
animal; and
   (2) establishing penalties for violations of such rules and
regulations.
   c. The rules and regulations developed and adopted pursuant to
subsection b. of this section may include exceptions for the
following activities only:
   (1) medical research involving pigs;
   (2) examination, testing, individual treatment, or operation for
veterinary purposes, but only if performed by or under the direct
supervision of a licensed veterinarian;
   (3) transportation of sows;
   (4) State or county fair exhibitions, 4-H programs, and similar
exhibitions;
   (5) temporary confinement for animal husbandry purposes for no
more than six hours in any 24-hour period;
   (6) humane slaughter in accordance with applicable laws, rules

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.
Matter enclosed in superscript numerals has been adopted as follows:
2Senate SEG committee amendments adopted January 30, 2014.
(7) the seven-day period prior to a sow’s expected date of giving birth.

d. The provisions of subsection e. of R.S.4:22-16 and subsection b. of section 1 of P.L.1995, c.311 (C.4:22-16.1) shall not apply to the provisions of this act or any rule or regulation adopted pursuant thereto.

e. It is not a defense to any alleged violation of the rules and regulations developed and adopted pursuant to subsection b. of this section that the sow was kept as part of an agricultural operation and in accordance with customary animal husbandry or farming practices.

f. Except as provided in subsection d. of this section, the provisions of this section are in addition to, and not in lieu of, any other law, or rule or regulation adopted pursuant thereto, protecting animal welfare. This section shall not be construed to limit any other State law, or any rule or regulation adopted pursuant thereto, protecting the welfare of animals or prevent a local governing body from adopting and enforcing its own animal welfare laws and regulations concerning the confinement of animals.

2. This act shall take effect immediately.