

1 allow them to exhibit natural behaviors, including scratch
2 areas, perches, nest boxes, and dust bathing areas; and farm
3 employees can provide care while standing within the hens'
4 usable floor space. "Cage-free housing system" includes:

- 5 (1) Multi-tiered aviaries;
- 6 (2) Partially-slatted systems;
- 7 (3) Single-level all-litter floor systems; and
- 8 (4) Any other system that complies with the requirements
9 of this chapter.

10 "Cage-free housing system" does not include systems commonly
11 described as battery cages, colony cages, enriched cages,
12 enriched colony cages, modified cages, convertible cages,
13 furnished cages, or similar cage systems.

14 "Confined in a cruel manner" means the confinement of an
15 egg-laying hen:

- 16 (1) In an enclosure other than a cage-free housing system;
17 or
- 18 (2) With less than:
 - 19 (A) One square foot of usable floor space per hen in
20 multi-tiered aviaries, partially-slatted systems,



1 or any other cage-free system that provides hens
2 with unfettered access to vertical space; or
3 (B) One and one-half square feet of usable floor
4 space per hen in a single-level all-litter floor
5 system or any other cage-free system that does
6 not provide hens with unfettered access to
7 vertical space.

8 "Egg product" means eggs of an egg-laying hen broken from
9 the shells and intended for human food, whether in liquid,
10 solid, dried, or frozen form; whether raw or cooked; and with
11 the yolks and whites in their natural proportions, or with the
12 yolks and whites separated, mixed, or mixed and strained. "Egg
13 product" does not include combination food products, including
14 pancake mixes, cake mixes, cookies, pizzas, cookie dough, ice
15 cream, or similar food products that consist of the egg product
16 combined with sugar, salt, water, seasoning, coloring,
17 flavoring, preservatives, stabilizers, or other similar food
18 additives.

19 "Egg-laying hen" means a female domesticated chicken,
20 turkey, duck, goose, or guinea fowl kept for the purpose of
21 commercial egg production.



1 "Enclosure" means a structure used to confine an egg-laying
2 hen or hens.

3 "Farm" means the land, building, support facilities, and
4 other equipment that are wholly or partially used for the
5 commercial production of animals or animal products used for
6 food. "Farm" does not include live animal markets or official
7 plants at which mandatory inspection is maintained under the
8 Federal Egg Products Inspection Act, title 21 United States Code
9 section 1031, et seq.

10 "Farm owner or operator" means any person who owns or
11 controls the operations of a farm.

12 "Multi-tiered aviary" means a cage-free housing system in
13 which hens have unfettered access to multiple elevated platforms
14 that provide hens with usable floor space both on top of and
15 underneath the platforms.

16 "Partially-slatted system" means a cage-free housing system
17 in which hens have unfettered access to elevated flat platforms
18 under which manure drops through the flooring to a pit or litter
19 removal belt below the platform.



1 "Person" means any individual, firm, partnership, joint
2 venture, association, limited liability company, corporation,
3 estate, trust, receiver, or syndicate.

4 "Sale" means a commercial sale by a business that sells any
5 item covered by this chapter but does not include any sale
6 undertaken at an official plant at which mandatory inspection is
7 maintained under the Federal Egg Products Inspection Act, title
8 21 United States Code section 1031, et seq.

9 "Shell egg" means a whole egg of an egg-laying hen in its
10 shell form that is intended for use as human food.

11 "Single-level all-litter floor system" means a cage-free
12 housing system bedded with litter, in which hens have limited or
13 no access to elevated flat platforms.

14 "Usable floor space" means the total square footage of
15 floor space provided to each egg-laying hen, as calculated by
16 dividing the total square footage of floor space provided to the
17 egg-laying hens in an enclosure by the number of egg-laying hens
18 in that enclosure. "Usable floor space" includes both ground
19 space and elevated level or nearly level flat platforms upon
20 which hens can roost but does not include perches or ramps.



1 § -2 **Prohibitions.** (a) Notwithstanding any other
2 provision of law to the contrary, beginning June 30, 2027, it
3 shall be unlawful for a farm owner or operator within the State
4 to knowingly cause any egg-laying hen to be confined in a cruel
5 manner.

6 (b) Notwithstanding any other provision of law to the
7 contrary, beginning June 30, 2027, it shall be unlawful for a
8 business owner or operator to knowingly engage in the sale in
9 the State of any shell egg or egg product that the business
10 owner or operator knows or should know was produced by an egg-
11 laying hen that was confined in a manner that violates best
12 practices for humanely housing egg-laying hens to eliminate
13 disease, increase sanitation, and to protect egg-laying hens
14 from predators and the weather. For purposes of this chapter, a
15 sale shall be deemed to occur at the location where the buyer
16 takes physical possession of the item.

17 § -3 **Exceptions.** Section -2(a) shall not apply
18 during:

19 (1) Medical research;



- 1 (2) Examination, testing, or individual treatment or
- 2 operation for veterinary purposes performed by or
- 3 under the direct supervision of a veterinarian;
- 4 (3) Transportation;
- 5 (4) State or county fair exhibitions, 4-H programs, and
- 6 similar exhibitions;
- 7 (5) Slaughter in accordance with any applicable laws,
- 8 rules, and regulations; or
- 9 (6) Temporary periods for animal husbandry purposes for
- 10 not more than six hours in a twenty-four hour period
- 11 and not more than twenty-four hours total in a thirty
- 12 day period.

13 § -4 De minimis exemption. This chapter shall not apply

14 to a farm owner or operator who exclusively produces shell eggs,

15 with an annual egg production from a flock of seventy-five

16 thousand or fewer egg-laying hens that are confined in a cruel

17 manner; provided that:

- 18 (1) The farm owner or operator does not knowingly cause
- 19 any egg-laying hen to be confined with less than one
- 20 square foot of usable floor space per hen, unless an
- 21 exception applies pursuant to section -3; and



1 (2) Any egg-laying hen added to the flock after June 30,
2 2027, that raises the farm's total flock size to more
3 than seventy-five thousand egg-laying hens is not
4 confined in a cruel manner.

5 § -5 **Penalties.** (a) Any person who violates any
6 provision of this chapter shall be subject to a civil fine in an
7 amount not less than \$500 and not more than \$1,000 per
8 violation.

9 (b) In addition to the penalties listed in subsection (a),
10 a violation of section -2(b) shall be considered an unfair
11 method of competition and unfair or deceptive trade practice
12 under chapter 481A, upon which any aggrieved person may bring an
13 action.

14 § -6 **Defense.** It shall be a defense to any action to
15 enforce this chapter that a business owner or operator relied in
16 good faith upon a written certification by the supplier that the
17 shell egg or egg products were not derived from an egg-laying
18 hen that was confined in a cruel manner.

19 § -7 **Rules.** The department of agriculture shall adopt
20 rules pursuant to chapter 91 necessary for the purposes of this
21 chapter; provided that the adoption of rules pursuant to this



1 section shall not prevent or delay the implementation of this
2 chapter as provided herein.

3 § -8 Construction. The provisions of this chapter shall
4 be in addition to, and not in lieu of, any other law protecting
5 animal welfare. This chapter shall not be construed to limit
6 any other state law or rule protecting the welfare of animals or
7 to prevent the counties from adopting and enforcing ordinances,
8 laws, and rules that are more restrictive than this chapter."

9 SECTION 3. If any provision of this Act, or the
10 application thereof to any person or circumstance, is held
11 invalid, the invalidity does not affect other provisions or
12 applications of the Act that can be given effect without the
13 invalid provision or application, and to this end the provisions
14 of this Act are severable.

15 SECTION 4. This Act shall take effect on January 1, 2050.



Report Title:

Egg-Laying Hens; Confinement Standards; Agriculture

Description:

Requires farm owners or operators to confine egg-laying hens in accordance with the standards established in this measure. Effective 6/30/27, prohibits a business owner or operator from selling shell eggs or egg products that are produced by egg-laying hens that were confined in a manner that violates best practices for humanely housing egg-laying hens to eliminate disease, increase sanitation, and to protect from predators and weather, with exceptions. Effective 1/1/2050. (SD2)

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