

1 hens to exhibit natural behaviors, including scratch areas,
2 perches, nest boxes, and dust bathing areas; and within which
3 farm 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 "Egg products" means eggs of an egg-laying hen broken from
11 the shells and intended for human food, whether in liquid,
12 solid, dried, or frozen form; whether raw or cooked; and with
13 the yolks and whites in their natural proportions, or with the
14 yolks and whites separated, mixed, or mixed and strained. "Egg
15 products" does not include combination food products, including
16 pancake mixes, cake mixes, cookies, pizzas, cookie dough, ice
17 cream, or similar food products that consist of more than egg
18 products, sugar, salt, water, seasoning, coloring, flavoring,
19 preservatives, stabilizers, and similar food additives.



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

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

6 "Farm" means the land, building, support facilities, and
7 other equipment that are wholly or partially used for the
8 commercial production of animals or animal products used for
9 food. "Farm" does not include live animal markets or official
10 plants at which mandatory inspection is maintained under the
11 federal Egg Products Inspection Act (21 U.S.C. section 1031, et
12 seq.).

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

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

19 "Partially-slatted system" means a cage-free housing system
20 in which hens have unfettered access to elevated flat platforms



1 under which manure drops through the flooring to a pit or litter
2 removal belt below the platform.

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

6 "Sale" or "sells" means a commercial sale by a business
7 that sells any item covered by this chapter but does not include
8 any sale undertaken at an official plant at which mandatory
9 inspection is maintained under the federal Egg Products
10 Inspection Act (21 U.S.C. section 1031, et seq.).

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

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

16 "Usable floor space" means the total square footage of
17 floor space provided to each egg-laying hen, as calculated by
18 dividing the total square footage of floor space provided to the
19 egg-laying hens in an enclosure by the number of egg-laying hens
20 in that enclosure. "Usable floor space" includes both ground



1 space and elevated level or nearly level flat platforms upon
2 which hens can roost but does not include perches or ramps.

3 **§ -2 Prohibitions.** Notwithstanding any other provision
4 of law to the contrary, beginning no later than January 1, 2025,
5 it shall be unlawful for:

6 (1) A farm owner or operator within the State to knowingly
7 confine an egg-laying hen in an enclosure that:

8 (A) Is not a cage-free housing system; or

9 (B) Has less than the amount of usable floor space
10 per egg-laying hen required by the 2017 edition
11 of the United Egg Producers' Animal Husbandry
12 Guidelines for U.S. Egg-Laying Flocks:
13 Guidelines for Cage-Free Housing; and

14 (2) A business owner or operator to knowingly engage in
15 the sale in the State of any shell egg or egg product
16 that the business owner or operator knows or should
17 know was produced by an egg-laying hen that was
18 confined in a manner that conflicts with the standards
19 for enclosures described in paragraph (1).

20 **§ -3 Exceptions.** Section -2 shall not apply during:

21 (1) Medical research;



H.B. NO. 1293

- 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 no
- 10 more than six hours in a twenty-four-hour period and
- 11 no more than twenty-four hours total in a thirty-day
- 12 period.

13 **§ -4 Exemption.** Section -2 shall not apply to:

- 14 (1) A farm owner or operator who confines a maximum of
- 15 seventy-five thousand egg-laying hens in a manner
- 16 other than a cage-free manner on a farm; or
- 17 (2) A business owner or operator who sells shell eggs that
- 18 were produced by a maximum of seventy-five thousand
- 19 egg-laying hens confined by a farm owner or operator
- 20 in a manner that conflicts with the standards for
- 21 enclosures described in section -2(1).



1 § -5 **Certification.** Beginning no later than January 1,
2 2025, no business owner or operator shall engage in the sale of
3 shell eggs or egg products within the State without a
4 certificate from the department of agriculture certifying that
5 the shell eggs or egg products were produced in compliance with
6 this chapter or are exempt under this chapter. The department
7 of agriculture shall certify that shell eggs and egg products
8 are accompanied by documentation from a government or private
9 third-party inspection and continuous process verification
10 service that the department deems acceptable, which establishes
11 that the shell eggs or egg products were produced in compliance
12 with this chapter.

13 § -6 **Penalties.** (a) Any person who violates any
14 provision of this chapter shall be subject to a fine of no less
15 than \$500 and no more than \$1,000 per violation.

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

20 § -7 **Defense.** It shall be a defense to any action to
21 enforce this chapter that a business owner or operator relied in



1 good faith upon a written certification by the supplier that the
2 shell egg or egg products were not derived from an egg-laying
3 hen that was confined in a manner that conflicts with the
4 standards for enclosures described in section -2(1).

5 § -8 **Rules.** The department of agriculture shall adopt
6 rules pursuant to chapter 91 necessary for the purposes of this
7 chapter; provided that section -2 shall apply to egg-laying
8 hens and shell eggs and egg products sold in the State beginning
9 January 1, 2025, whether or not the department has finalized
10 rules for the purposes of this chapter.

11 § -9 **Construction.** The provisions of this chapter shall
12 be in addition to, and not in lieu of, any other law protecting
13 animal welfare. This chapter shall not be construed to limit
14 any other state laws or rules protecting the welfare of animals
15 or prevent the counties from adopting and enforcing ordinances,
16 laws, and rules that are more restrictive than this chapter."

17 SECTION 3. If any provision of this Act, or the
18 application thereof to any person or circumstance, is held
19 invalid, the invalidity does not affect other provisions or
20 applications of the Act that can be given effect without the



H.B. NO. 1293

1 invalid provision or application, and to this end the provisions
2 of this Act are severable.

3 SECTION 4. This Act shall take effect upon its approval.

4

INTRODUCED BY: 

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Report Title:

Egg-laying Hens; Confinement Standards; Agriculture;
Certification

Description:

Beginning no later than 1/1/2025: requires farm owners or operators to confine egg-laying hens in accordance with certain standards, with exceptions; 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 certain standards, with exceptions; and requires the department of agriculture to certify a business owner or operator who sells shell eggs or egg products within the State.

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