

**Introduced by Senator Vincent**

February 20, 2004

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An act to amend Section 25988 of the Health and Safety Code, relating to horses.

LEGISLATIVE COUNSEL'S DIGEST

SB 1852, as introduced, Vincent. Horses: hire and boarding regulations.

Existing law authorizes a peace officer, officer of a humane society, or officer of an animal control or animal regulation department of a public agency to issue a citation to a person or entity keeping horses or other equine animals for hire if the person or entity fails to meet standards of humane treatment regarding the keeping of horses or other equine animals.

This bill would expand the group of people to whom an officer may issue a citation to include a person or entity keeping horses or other equine animals for boarding who fails to meet those standards.

The existing standards require that an equine enclosure be kept free of excessive urine and waste matter.

This bill would add to the standards the requirement that an equine enclosure have adequate drainage. The bill would also add the requirement that equines be given regular exercise time, weather and health permitting, but not less than once a week. The bill would add to the standards that the exercise area be a corral, arena, pasture, or other area large enough to accommodate running and other natural equine behavior and that the exercise program be part of the boarding agreement between the boarding facility and the owner of the equine.

The bill would require a person or entity keeping a horse or other equine animal for boarding to provide the owner of the horse or equine with a copy of the standards of humane treatment.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 25988 of the Health and Safety Code is  
2 amended to read:

3 25988. (a) A peace officer, officer of a humane society, as  
4 qualified under Section 14502 or 14503 of the Corporations Code,  
5 or officer of an animal control or animal regulation department of  
6 a public agency, as qualified under Section 830.9 of the Penal  
7 Code, may issue a citation, as prescribed in Section 25988.5, to  
8 any person or entity keeping horses or other equine animals for  
9 hire *or boarding*, if the person or entity fails to meet any of the  
10 following standards of humane treatment regarding the keeping of  
11 horses or other equine animals:

12 ~~(a)~~

13 (1) Any enclosure where an equine is primarily kept shall be of  
14 sufficient size to enable the equine to comfortably stand up, turn  
15 around, and lie down, ~~and~~ shall be kept free of excessive urine and  
16 waste matter, *and shall have adequate drainage.*

17 ~~(b)~~

18 (2) Paddocks and corrals shall be of adequate size for the  
19 equine to move about freely.

20 ~~(c)~~

21 (3) Buildings, premises, and conveyances used in conjunction  
22 with equines shall be kept free of sharp objects, protrusions, or  
23 other materials that are likely to cause injury.

24 ~~(d)~~

25 (4) Equines shall be supplied with nutritionally adequate feed  
26 and clean water, in accordance with standards published by the  
27 Cooperative Extension of the Division of Agricultural Sciences of  
28 the University of California.

29 ~~(e)~~

30 (5) *Equines shall be given regular exercise time, weather and*  
31 *health permitting. Reasonable efforts should be made to provide*  
32 *exercise time daily, in accordance with the standards published by*



1 *the Cooperative Extension of the Division of Agricultural Sciences*  
2 *of the University of California, but in no event may the equine*  
3 *exercise time be less than once per week. The exercise area shall*  
4 *be a corral, arena, pasture, or other area large enough to*  
5 *accommodate running and other natural equine behavior. The*  
6 *exercise program shall be part of the boarding agreement between*  
7 *the boarding facility and the owner of the equine.*

8 (6) Tack and equipment shall be appropriate and fit properly.

9 ~~(f)~~

10 (7) After use the equine shall be cooled out to a normal  
11 condition at rest.

12 ~~(g)~~

13 (8) When not being ridden, a saddled equine shall have  
14 available adequate shelter from the elements, and have loosened  
15 saddle straps and girths.

16 ~~(h)~~

17 (9) An equine shall not be available for hire or use if the equine  
18 has any conditions that violate subdivision (b) of Section 597 or  
19 Section 597f of the Penal Code or any of the following conditions:

20 ~~(1)~~

21 (A) Sores or abrasions caused or likely to be irritated by the  
22 surfaces of saddles, girths, harnesses, or bridles.

23 ~~(2)~~

24 (B) Blindness in both eyes.

25 ~~(3)~~

26 (C) Improperly or inadequately trimmed and shod feet contrary  
27 to the standards published by the Cooperative Extension of the  
28 Division of Agricultural Sciences of the University of California.

29 ~~(i)~~

30 (10) Each equine shall be individually identified, using  
31 humane methods, such as a detailed description, including, but not  
32 limited to, name, breed, color, markings, size, age, sex, and  
33 photograph.

34 ~~(j)~~

35 (11) Farrier and veterinary receipts shall be kept and shall  
36 identify each equine treated.

37 ~~(k)~~

38 (12) Veterinary, farrier, and feed records shall be made  
39 available during normal business hours to the law enforcement  
40 officer. Upon failure to provide these records, the equine or



1 equines in question may not be used for hire until ~~such time as~~ the  
2 records are produced or an equine veterinarian ~~shall certify~~  
3 *certifies* that the equine or equines are fit for labor.

4 *(b) A person or entity keeping a horse or other equine animal*  
5 *for boarding shall provide the owner of the horse or equine animal*  
6 *with a copy of the standards specified in paragraphs (1) to (5),*  
7 *inclusive, of subdivision (a).*

