

Assembly Bill No. 2098

CHAPTER 194

An act to amend Section 599f of the Penal Code, relating to animals.

[Approved by Governor July 22, 2008. Filed with
Secretary of State July 22, 2008.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2098, Krekorian. Animals: nonambulatory: cruelty.

Existing law prohibits a nonfederally inspected slaughterhouse, stockyard, or auction from buying, selling, or receiving nonambulatory animals, as defined.

This bill would instead prohibit a slaughterhouse, stockyard, auction, market agency, or dealer from buying, selling, or receiving a nonambulatory animal. It would also prohibit a slaughterhouse from processing, butchering, or selling meat or products of nonambulatory animals for human consumption.

Existing law also prohibits a slaughterhouse, stockyard, auction, market agency, or dealer from holding a nonambulatory animal without taking immediate action to humanely euthanize the animal or remove the animal from the premises. Existing law makes a violation of those provisions a misdemeanor.

This bill would revise and recast those provisions. It would prohibit a slaughterhouse from holding a nonambulatory animal without taking immediate action to humanely euthanize the animal. It would also require a stockyard, auction, market agency, or dealer, holding a nonambulatory animal, to take immediate action to either humanely euthanize the animal or provide immediate veterinary treatment. This bill would also prohibit a person from selling, consigning, or shipping a nonambulatory animal, or receiving such an animal for transport or delivery, to a slaughterhouse, stockyard, auction, market agency, or dealer. The bill would make these crimes punishable by imprisonment in a county jail for a period not to exceed one year, by a \$20,000 fine, or by both that fine and imprisonment, as specified. By changing the scope of crimes, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

SECTION 1. Section 599f of the Penal Code is amended to read:

599f. (a) No slaughterhouse, stockyard, auction, market agency, or dealer shall buy, sell, or receive a nonambulatory animal.

(b) No slaughterhouse shall process, butcher, or sell meat or products of nonambulatory animals for human consumption.

(c) No slaughterhouse shall hold a nonambulatory animal without taking immediate action to humanely euthanize the animal.

(d) No stockyard, auction, market agency, or dealer shall hold a nonambulatory animal without taking immediate action to humanely euthanize the animal or to provide immediate veterinary treatment.

(e) While in transit or on the premises of a stockyard, auction, market agency, dealer, or slaughterhouse, a nonambulatory animal may not be dragged at any time, or pushed with equipment at any time, but shall be moved with a sling or on a stoneboat or other sled-like or wheeled conveyance.

(f) No person shall sell, consign, or ship any nonambulatory animal for the purpose of delivering a nonambulatory animal to a slaughterhouse, stockyard, auction, market agency, or dealer.

(g) No person shall accept a nonambulatory animal for transport or delivery to a slaughterhouse, stockyard, auction, market agency, or dealer.

(h) A violation of this section is subject to imprisonment in the county jail for a period not to exceed one year, or by a fine of not more than twenty thousand dollars (\$20,000), or by both that fine and imprisonment.

(i) As used in this section, “nonambulatory” means unable to stand and walk without assistance.

(j) As used in this section, “animal” means live cattle, swine, sheep, or goats.

(k) As used in this section, “humanely euthanized” means to kill by a mechanical, chemical, or electrical method that rapidly and effectively renders the animal insensitive to pain.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.