

Assembly Bill No. 1114

CHAPTER 119

An act to amend Sections 10721, 10725, and 10726 of the Food and Agricultural Code, relating to agriculture.

[Approved by Governor July 17, 1995. Filed with
Secretary of State July 18, 1995.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1114, Harvey. Agriculture: swine.

(1) Existing law prohibits any person from importing any swine into this state, except for immediate slaughter or for exhibition or theatrical purposes, unless the person procures a health certificate prior to the shipment or movement of the swine. A violation of this provision is a misdemeanor, punishable as specified.

This bill, instead, would prohibit any person from importing any swine into this state, except for immediate slaughter, unless the person procures a health certificate prior to the shipment or movement of the swine. Thus, because the bill would make those persons who import swine into this state for exhibition or theatrical purposes, without procuring a health certificate, subject to a misdemeanor penalty, the bill would expand the scope of an existing crime, thereby imposing a state-mandated local program.

(2) Existing law also requires swine imported into this state for immediate slaughter to have as their destination a public stockyard, sales yard, or recognized slaughtering establishment. A violation of this provision is a misdemeanor, punishable as specified.

This bill, instead, would require swine imported into this state for immediate slaughter to have as their destination only a slaughtering establishment. Thus, because the bill would subject to a misdemeanor penalty those persons who import swine into this state for immediate slaughter with a public stockyard or sales yard as their destination, the bill would expand the scope of an existing crime, thereby imposing a state-mandated local program.

(3) 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 10721 of the Food and Agricultural Code is amended to read:

10721. It is unlawful for any person to import any swine into this state except for immediate slaughter, unless the person procures a health certificate prior to the shipment or movement of the swine.

SEC. 2. Section 10725 of the Food and Agricultural Code is amended to read:

10725. Swine that are imported into this state for purposes other than for immediate slaughter shall be transported in crates, cars, trucks, or other vehicles that have been cleaned and disinfected in conformity with the standards that are prescribed by the Agricultural Research Service of the United States Department of Agriculture.

SEC. 3. Section 10726 of the Food and Agricultural Code is amended to read:

10726. Swine that are imported into this state for immediate slaughter shall have as their destination a recognized slaughtering establishment. They shall not be diverted for any other purposes.

SEC. 4. 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.

Notwithstanding Section 17580 of the Government Code, unless otherwise specified, the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.

