

July 9, 2003

Hon. Bill Lockyer
Attorney General
1300 I Street, 17th Floor
Sacramento, California 95814

Attention: Ms. Tricia Knight
Initiative Coordinator

Dear Attorney General Lockyer:

Pursuant to Elections Code Section 9005, we have reviewed the proposed initiative entitled "Limitation on Cruel Confinement of Veal Calves and Pigs and Limitation on Inadequate Diet for Veal Calves" (File No. SA2003RF0022).

Major Provisions

Under current law, it is a misdemeanor to deprive an animal of necessary sustenance or keep it confined in an enclosed area without an adequate exercise area. Many calves raised for veal and pregnant farm-raised pigs are housed in crates or cages of a size that restricts the animal's ability to move. Calves raised for veal are sometimes fed a diet deficient in iron and solid food, which is believed to enhance the marketability of the meat. Current law has generally not been applied to these animals.

This statutory measure amends the Penal Code to prohibit the feeding of a diet deficient of iron and solid food to a calf. The measure authorizes a separate misdemeanor charge for the failure to provide an adequate diet for each calf.

The measure also prohibits the housing of a calf raised for veal or pregnant farm pig in an enclosure too small for the animal to turn around. The measure also prohibits the tethering of these animals in a manner that prevents it from turning around. The measure authorizes a separate misdemeanor charge for the unlawful confinement or tethering of each animal. The measure allows for specified exceptions to its provisions. Specifically, the prohibition of such restricted confinement does not apply to county fairs or during medical procedures or examinations. The measure also allows pigs to be housed in this manner during the seven-day period prior to the expected date of giving birth. The measure would become effective on January 1, 2008.

Fiscal Effect

This measure would result in unknown, but probably minor, local and state criminal justice costs for enforcement and prosecution of individuals charged with the new offenses. These costs would likely be offset in part by revenue from the collection of misdemeanor fines.

Summary. This measure would result in the following fiscal impact:

- Probably minor local and state criminal justice enforcement and prosecution costs, offset in part by increased fine revenue.

Sincerely,

Elizabeth G. Hill
Legislative Analyst

Steve Peace
Director of Finance