

House Bill 1630

By: Representative Lim of the 99th

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 2 of the Official Code of Georgia Annotated, relating to agriculture, so as to
2 set standards for the production of eggs; to provide for definitions; to provide for violations
3 and enforcement; to provide for the promulgation of rules and regulations related to
4 inspections; to provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Title 2 of the Official Code of Georgia Annotated, relating to agriculture, is amended by
8 adding a new chapter to read as follows:

9 "CHAPTER 24

10 2-24-1.

11 As used in this chapter, the term:

12 (1)(A) 'Cage-free housing system' means any indoor or outdoor controlled environment
13 for egg-laying hens where:

14 (i) For an indoor environment, the egg-laying hens are free to roam unrestricted
15 except by exterior walls, or interior fencing used to contain the entire egg-laying hen
16 flock within the building or subdivide flocks into smaller groups if farm employees
17 can walk through each contained or subdivided area to provide care to egg-laying
18 hens and if each egg-laying hen has at least the amount of usable floor space per hen
19 required by the 2017 edition of the United Egg Producers' Animal Husbandry
20 Guidelines for U.S. Egg-Laying Flocks: Guidelines for Cage-Free Housing;

21 (ii) Egg-laying hens are provided enrichments that allow them to exhibit natural
22 behaviors including, at a minimum, scratch areas, perches, nest boxes, and dust
23 bathing areas; and

24 (iii) Farm employees can provide care while standing within the egg-laying hens'
25 usable floor space.

26 (B) Such term includes, to the extent the system is a system described in subparagraph
27 (A) of this paragraph and is not excluded by subparagraph (C) of this paragraph, a
28 multi-tiered aviary, partially slatted system, or single-level all-litter floor system.

29 (C) Such term does not include systems commonly described as battery cages, colony
30 cages, enriched cages, enriched colony cages, modified cages, convertible cages,
31 furnished cages, or similar cage systems.

32 (2) 'Egg-laying hen' means a female domesticated chicken kept for the purpose of
33 commercial egg production.

34 (3) 'Enclosure' means a structure used to confine an egg-laying hen.

35 (4) 'Farm' means the land, buildings, support facilities, and other equipment that are
36 wholly or partially used for the commercial production of animals or animal products
37 used for food. Such term does not include live animal markets or official plants at which
38 mandatory inspection is maintained under the federal Egg Products Inspection Act, 21
39 U.S.C. Section 1031, et seq.

40 (5) 'Farm owner or operator' means a person that owns a controlling interest in a farm or
41 controls the operations of a farm.

42 (6) 'Multi-tiered aviary' means a cage-free housing system where egg-laying hens have
43 unfettered access to multiple elevated flat platforms that provide the egg-laying hens with
44 usable floor space both on top of and underneath the platforms.

45 (7) 'Partially slatted system' means a cage-free housing system where egg-laying hens
46 have unfettered access to elevated flat platforms under which manure drops through the
47 flooring to a pit or litter removal belt below.

48 (8) 'Shell egg' means a whole egg of an egg-laying hen in the egg's shell form, intended
49 for use as human food.

50 (9) 'Single-level all-litter floor system' means a cage-free housing system bedded with
51 litter where egg-laying hens have limited or no access to elevated flat platforms.

52 (10) 'Usable floor space' means the total square footage of floor space provided to each
53 egg-laying hen, as calculated by dividing the total square footage of floor space provided
54 to egg-laying hens in an enclosure by the total number of egg-laying hens in that
55 enclosure. Such term includes both ground space and elevated level or nearly level flat
56 platforms upon which hens can roost, but does not include perches or ramps.

57 2-24-2.

58 (a) Beginning on January 1, 2025, a farm owner or operator may not knowingly confine
59 an egg-laying hen in an enclosure:

60 (1) That is not a cage-free housing system; or

61 (2) That has less than the amount of usable floor space per hen as required by the 2017
62 edition of the United Egg Producers' Animal Husbandry Guidelines for U.S. Egg-Laying
63 Flocks: Guidelines for Cage-Free Housing.

64 (b) The provisions of subsection (a) of this Code section shall not apply to an egg-laying
65 hen:

- 66 (1) Used for medical research;
67 (2) During examination, testing, individual treatment, or operation for veterinary
68 purposes, but only if performed by or under the direct supervision of a licensed
69 veterinarian;
70 (3) During transportation;
71 (4) At state or county fair exhibitions, 4-H programs, and similar exhibitions;
72 (5) During slaughter conducted in accordance with applicable laws, rules, and
73 regulations; or
74 (6) Kept for temporary animal husbandry purposes of no more than six hours in any 24
75 hour period and no more than 24 hours total in any 30 day period.
76 (c) The provisions of subsection (a) of this Code section shall not apply to the production
77 of shell eggs by a farm with fewer than 3,000 egg-laying hens.

78 2-24-3.

79 The department shall have the power to adopt, amend, and repeal rules or regulations
80 providing for the inspection of facilities and records pertinent to activities subject to this
81 chapter during regular business hours. In conducting inspections to ensure compliance
82 with this chapter, the department may contract with an inspection provider or process
83 verification provider. Prior to entering such contract, the department shall approve any
84 such provider as competent to ensure compliance with this chapter.

85 2-24-4.

86 (a) The department shall be charged with the enforcement of this chapter. If the
87 department determines that a person subject to this chapter is in violation of a provision of
88 this chapter or a rule adopted under this chapter, the department shall provide the person
89 with a written notice that:

- 90 (1) Describes each violation identified by the department; and

91 (2) States a reasonable deadline by which the person is required to cure the violation.
92 (b) If a person who receives a notice issued under subsection (a) of this Code section does
93 not cure a violation identified in the notice before the deadline stated in the notice, the
94 department may impose a civil fine of \$100.00 per written notice, regardless of the number
95 of violations identified in the notice.
96 (c) If a violation is not cured after the department provides a person with written notice of
97 the violation and a reasonable opportunity to cure, the department may seek a temporary
98 restraining order or permanent injunction to prevent further violation of this chapter."

99

SECTION 2.

100 All laws and parts of laws in conflict with this Act are repealed.