

FULL TEXT OF AMENDMENT

Be it resolved by the people of the State of Ohio that Article XIV, Section 2 of the Ohio Constitution be adopted and read as follows:

MINIMUM STANDARDS TO PREVENT INHUMANE TREATMENT OF FARM ANIMALS, ENHANCE FOOD SAFETY, AND STRENGTHEN OHIO FAMILY FARMS

Section 2. (A) Within six years of the date of the adoption of this amendment, the Ohio Livestock Care Standards Board shall establish minimum humane standards for cows, poultry, and pigs that, at minimum:

(1) prohibit a farm owner or operator from tethering or confining any calf raised for veal, pig during pregnancy, or egg-laying hen, on a farm, for all or the majority of any day, in a manner that prevents such animal from lying down, standing up, fully extending his or her limbs, or turning around freely. This prohibition shall not apply: (a) during scientific or agricultural research; (b) during examination, testing, individual treatment, or operation for veterinary purposes; (c) during transportation; (d) during rodeo exhibitions, state or county fair exhibitions, 4-H programs, and similar exhibitions or programs; (e) during the slaughter of livestock or poultry as provided by law; or (f) to a pig during pregnancy during the seven-day period prior to the pig's expected date of giving birth;

(2) require a farm owner or operator to ensure that all on-farm killing of cows or pigs be performed in a humane manner using methods explicitly deemed "Acceptable" by the American Veterinary Medical Association. This standard shall also include a prohibition on strangulation of cows and pigs as a form of euthanasia; and

(3) prohibit a farm owner or operator from engaging in the transport, sale, or receipt, for use in the human food supply, of any cow or calf too sick or injured to stand and walk.

(B) Any farm owner or operator who violates any standard adopted by the Board pursuant to this section is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than one thousand dollars (\$1,000), or both.

(C) As used in this section:

(1) "Calf raised for veal" means any calf of the bovine species kept for the purpose of producing the food product described as veal.

(2) "Cow" means any member of the bovine species, including calves.

(3) "Egg-laying hen" means any female domesticated chicken, turkey, duck, goose, or guinea fowl kept for the purpose of egg production.

(4) "Enclosure" means any cage, crate, or other structure (including what is commonly described as a "gestation crate" for pigs, a "veal crate" for calves, or a "battery cage" for egg-laying hens) used to confine a calf raised for veal, a pig during pregnancy, or an egg-laying hen.

(5) "Farm" means the land, buildings, support facilities, and other equipment that are wholly or partially used for the commercial production of animals or animal products used for food or fiber, and does not include live animal markets.

(6) "Farm owner or operator" means any person who owns or controls the operation of a farm, and does not include any non-management employee, contractor, or consultant.

(7) "Fully extending his or her limbs" means fully extending all limbs without touching the side of an enclosure or another animal. In the case of egg-laying hens, "fully extending his or her limbs" means (1) fully spreading both wings without touching the side of an enclosure or another egg-laying hen, and (2) having access to at least 1.5 square feet of usable floor space per hen; but does not mean that all egg-laying hens in an enclosure must be able to simultaneously spread their wings without touching the side of an enclosure or another egg-laying hen.

(8) "Person" means any individual, firm, partnership, joint venture, association, limited liability company, corporation, estate, trust, receiver, or syndicate.

(9) "Pig" means any member of the porcine species.

(10) "Pig during pregnancy" means any pregnant pig kept for the primary purpose of breeding.

(11) "Poultry" means any chicken, turkey, duck, goose, or guinea fowl.

(12) "Turning around freely" means turning in a complete circle without any impediment, including a tether, and without touching the side of an enclosure or another animal.