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AB-928 Roosters: restrictions. (2025-2026)

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AMENDED IN ASSEMBLY JUNE 02, 2025

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CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL

NO. 928

Introduced by Assembly Member Rogers

February 19, 2025

An act to add Part 3 (commencing with Section 32105) to Division 14.8 of the Food and Agricultural Code, relating to roosters.

LEGISLATIVE COUNSEL'S DIGEST

AB 928, as amended, Rogers. Roosters: restrictions.

Existing law prohibits a person from causing, permitting, or aiding or abetting the fighting, worrying, or injuring of a cock. Existing law provides that a violation of this provision is a misdemeanor, as provided. Existing law generally regulates the production of poultry, eggs, and egg products.

This bill would ~~prohibit~~ *prohibit, on and after January 1, 2027*, a person ~~who keeps more than 3 roosters per acre, or from keeping more than~~ 25 roosters ~~total on any property, from keeping a rooster movement constrained that are movement constrained~~ through the use of an enclosure or tether, except as specified. The bill would subject a person who violates this prohibition to a civil penalty not to exceed \$2,500 for each violation, as provided, and would provide that each day a rooster is kept in violation of that prohibition constitutes a distinct violation. The bill would ~~define~~ *define, among other terms*, “rooster” and “enclosure” for purposes of these provisions.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

(a) Cockfighting involves forcing two animals with metal weapons attached to their legs to fight to the death. Although illegal in California, cockfighting continues to persist throughout the state because it is difficult to prove roosters are possessed with the intent to fight them against each other. The three largest cockfighting seizures from 2000 to 2024 in the United States were in California.

(b) Law enforcement officials attest that cockfighting is often associated with other criminal activities, such as drug trafficking, gun violence, illegal weapon sales, and violence against people.

(c) Gamefowl yards, large tracts of land where hundreds or thousands of roosters are bred and sold for fighting purposes, pose a significant risk to the spread of avian diseases. The birds are often tethered outside without protection from wild birds, transported across the country and the world without oversight or vaccinations, and exposed to the blood of other birds.

(d) Highly pathogenic avian influenza H5N1, commonly known as avian flu, highlights the urgent need to address gamefowl yards in California. Since the first outbreak in February 2022, avian flu has caused the death of more than 23,000,000 commercial and backyard poultry in California. Nationally, as of January 2025, it has also infected more than 924 dairy cattle and 66 people, including the first recorded human death in Louisiana.

SEC. 2. Part 3 (commencing with Section 32105) is added to Division 14.8 of the Food and Agricultural Code, to read:

PART 3. Roosters

32105. (a) On and after January 1, 2027, a person ~~who keeps more than 3 roosters per acre, or more than 25 roosters total, regardless of acreage;~~ shall not keep ~~a rooster movement constrained~~ *more than 25 roosters that are movement constrained* through the use of an enclosure or tether.

(b) This section does not apply to any of the following:

(1) A person who keeps or raises roosters for purposes of food production if the person is subject to local, state, or federal inspection laws or regulations.

(2) A public or private school registered with the State Department of Education.

(3) A government-operated animal shelter.

(4) A nonprofit animal welfare organization, as defined in Section 6010.40 of the Revenue and Taxation Code.

(5) A 4-H, Future Farmers of America (FFA), or Grange project, if the 4-H, FFA, or Grange has provided written approval for the project to the person keeping or raising the roosters.

(6) A person who meets all of the following criteria:

(A) Owns and breeds poultry for the purpose of lawful exhibition in accordance with accepted poultry raising practices and all laws and regulations governing exhibition.

~~(B) Does not breed or raise poultry for purposes of making them available for cockfighting.~~

~~(C)~~

~~(B)~~ Within the preceding 10 years, has not been convicted for any cockfighting offense pursuant to Section 597b of the Penal Code or Section 2156 of Title 7 of the United States Code, or any other cockfighting offense of any state.

~~(D) Is a certified participant in the National Poultry Improvement Plan, administered by the California Poultry Health Board pursuant to all federal and state program standards.~~

(C) Does not possess more than 25 gamefowl roosters.

(c) (1) A person who violates this section shall be liable for a civil penalty, not to exceed two thousand five hundred dollars (\$2,500) for each violation, that shall be assessed and recovered in a civil action brought in the name of the people of the State of California by the Attorney General, a county counsel, a city attorney, or a city prosecutor in this state in any court of competent jurisdiction.

(2) If the civil action is brought by the Attorney General, one-half of the penalty collected shall be paid to the treasurer of the county in which the judgment was entered, and one-half of the penalty collected shall be paid to the state's General Fund. If the civil action is brought by a county counsel, the entire amount of the penalty collected shall be paid to the treasurer of the county in which the judgment was entered. If the civil action is brought by a city attorney or city prosecutor, one-half of the penalty shall

be paid to the treasurer of the county in which the judgment was entered, and one-half of the penalty collected shall be paid to the treasurer of the city in which the judgment was entered.

(3) Each day a rooster is kept in violation of this part shall constitute a *separate and* distinct violation.

(d) This part does not prevent a city or county from adopting or enforcing ordinances on the keeping of roosters that are more restrictive than the requirements set forth in this part.

(e) This section does not limit or affect the application or enforcement of any other law that protects animals, including, but not limited to, Sections 597, 597b, 597c, 597i, 597j, and 599aa of the Penal Code.

(f) This section does not limit or authorize any act or omission that violates Section 597, 597b, 597c, 597i, 597j, or 599aa of the Penal Code, or any other local, state, or federal law that protects animals.

~~(e)~~

(g) For purposes of this section, the following definitions apply:

(1) "Enclosure" means a structure used for confinement, including a wire cage or item traditionally used for another purpose such as a water tank or plastic barrel that meets both of the following criteria:

(A) Is used to provide long-term housing for one adult rooster.

(B) Prevents ~~interaction~~ *physical contact* with other roosters.

(2) "Gamefowl rooster" means a rooster of a breed of domestic fowl chiefly developed or maintained for the purpose of producing fighting cocks, including, but not limited to, all of the following breeds:

(A) American Gamefowl.

(B) Asil.

(C) Other breeds or crossbreeds of rooster intended or used for fighting.

~~(2)~~

(3) "Property" means a parcel, as defined in Section 9021 of the Streets and Highways Code, or a combination of parcels operated as one unit.

~~(3)~~

(4) "Rooster" means a male chicken that meets all of the following criteria:

(A) Is six months of age or older.

(B) Has full adult plumage.

(C) Is capable of crowing.

(D) Is not a bantam chicken.