

## Farm Protection US Legislation

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**AL**

**[SB 271](#)**

### **Farm Animal, Crop, and Research Facilities Protection Act**

Description:

Would prohibit any person to intentionally release, steal, destroy, or otherwise cause loss of any animal or crop from an animal or crop facility without the consent of the owner. Other illegal actions include vandalizing obtaining access by false pretenses for the purpose of performing acts not authorized by the facility, and possession of records obtained by theft or deception without authorization of the facility.

Status: Effective 7/1/2002

*Passed*

**AR**

**[HB 1665](#)**

Description:

Would make a person who knowingly gains access to a nonpublic area of an agricultural production operation and engages in an act that exceeds the person's authority to enter the nonpublic area is liable to the owner or operator of the property for any damages sustained by the owner or operator. An act that exceeds the person's authority includes for a reason other than the intent of seeking or holding employment or doing business with the employer and without authorization subsequently:

1. Captures or removes the employer's data, paper, records, or any other documents and uses the information contained on or in the employer's data, paper, records, or any other documents in a manner that damages the employer;
2. Records images or sound occurring within an employer's commercial property and uses the recording in a manner that damages the employer;
3. Places on the commercial property an unattended camera or electronic surveillance device and uses the unattended camera or electronic surveillance device to record images or data for an unlawful purpose;
4. Conspires in an organized theft of items belonging to the employer; or
5. Commits an act that substantially interferes with the ownership or possession of the commercial

property.

*Passed*

Pass Date: 3/23/2017

**AR**

**[SB 14](#)**

**Interference with a livestock or poultry operation**

Description:

Would prohibit a person from knowingly recording an image of or sound from the livestock or poultry operation by leaving a recording device on the private property where the livestock or poultry operation is conducted, with the purpose to cause harm to the operation; knowingly obtaining access to the operation under false pretenses; applying for employment at an operation with the purpose to record an image of or sound from the operation.

Status: Failed 5/17/2013

*Failed*

**AZ**

**[HB 2587](#)**

Description:

The bill states that a person shall not intentionally, knowingly or recklessly cause injury or undue suffering to livestock or poultry and that the director or the director's designee shall be notified of any investigation of an alleged violation of this and after being notified of the investigation may choose to participate or not participate in the investigation. Would make a person guilty of animal cruelty if that person intentionally, knowingly or recklessly fails to provide medical care and treatment necessary to prevent unreasonable suffering to any animal under the person's custody or control.

Status: Engrossed 3/10/2014; Died in Chamber

*Failed*

**CA**

**[AB 343](#)**

Description:

This bill would require a person who willfully or knowingly documents evidence of animal cruelty, in the form of film, image, photographs, print, recordings, or videotapes, to provide a copy of the applicable form of documentary evidence obtained by the person to local law enforcement or an associated animal control officer within 120 hours of documentation to assist law enforcement with the timely investigation and appropriate enforcement of suspected cases of animal cruelty.

Status: Died 1/31/2014

*Failed*

**CO**

**SB 42**

Description:

Would require a person to report abandonment, mistreatment, or neglect of an animal to the owner or law enforcement within 48 hours.

Status: Failed 2/9/2015

*Failed*

**DC**

**HR 3270**

**Farm Animal and Research Facilities Protection Act of 1989**

Description:

Would prohibit a person, without the consent of the owner from acquiring control over an animal facility, an animal from an animal facility, or other property from an animal facility, with the intent to deprive the owner of such facility, animal, or property and to disrupt or damage the enterprise conducted at the animal facility; damaging or destroying an animal facility or any animal or property in or on an animal facility.

Status: Introduced 9/13/1989; Died in Committee

*Failed*

**FL**

**SB 1246**

Description:

Would prohibit a person from entering onto a farm and making any audio record, photograph, or video record at the farm without the owner's written consent.

Status: Engrossed 5/6/2011; Died in Chamber

*Failed*

**IA**

**HF 589**

**Agricultural Production Facility Fraud**

Description:

Would make it a crime for any person to obtain access to an agricultural production facility under false pretenses; and to make a false statement or representation as part of an application to be employed at an agricultural production facility, if the person knows the statement is false, and makes the statement with the intent to commit an act not authorized by the owner of the agricultural facility, knowing that the act is not authorized.

*Passed*

Pass Date: 3/2/2012

## IA

### [SF 431](#)

#### **Animal Facility Interference and Fraud**

Description:

Would prohibit a person from producing a record which reproduces an image or sound occurring at the animal facility. Would prohibit a person from obtaining access to the animal facility by false pretenses.

Status: Introduced 3/7/2011; Died in Chamber

*Failed*

## ID

### [SB 1337](#)

#### **Interference with Agricultural Production**

Description:

Would make a person guilty of interference with agricultural production if the person:

1. Is not employed by the facility and enters by force, threat, misrepresentation or trespass.
2. Obtains employment by force, threat or misrepresentation with the intent to cause economic or other injury to the facility's operations, livestock, crops, personnel, equipment, buildings or premises.
3. Enters without the consent of the owner and makes audio or video recordings.
4. Intentionally causes physical damage or injury to the agricultural production facility's operations, livestock, crops, personnel, equipment, buildings or premises.

Passed 2/24/2014, but then ruled unconstitutional.

Status: Judge ruled unconstitutional 8/3/2015

*Failed*

## IL

### [HB 5143](#)

#### **Amends the Animal Research and Production Facilities Protection Act**

Description:

Would create the offense of animal facility interference for creating or possessing, without the consent of the owner, a visual or sound recording made at the animal facility, which reproduces a visual or audio experience occurring at the facility.

Status: Introduced 2/8/2012; Died in Chamber

*Failed*

## IN

### [SB 184](#)

#### **Unlawful recording of agricultural operations**

Description:

Would make it unlawful for a person to (1) enter real property that is owned by another person and on which agricultural operations are being conducted; and (2) take a photograph of or make a video recording or motion picture of the real property, structures located on the real property, or the agricultural operations being conducted on the real property; without the written consent of the owner of the real property or an authorized representative of the owner.

Status: Introduced 1/4/2012; Died in Committee

*Failed*

**IN**

**[SB 373](#)**

**Criminal trespass and application fraud**

Description:

Would prohibit a person from knowingly or intentionally submitting an application to a prospective employer to secure employment and making a false statement about a material fact or concealing a material fact in the application in order to secure employment.

Status: Enrolled 4/15/2013; Died in Chamber

*Failed*

**IN**

**[SB 391](#)**

**Crimes concerning agriculture and livestock**

Description:

Would prohibit a person from entering real property that is owned by another person and on which agricultural operations are being conducted; and take a photograph of or make a video recording or motion picture of the real property, structures located on the real property, or the agricultural operations being conducted on the real property; without the written consent of the owner of the real property or an authorized representative of the owner. Requires the board of animal health to establish a registry of persons convicted of crimes concerning agricultural operations and livestock.

Status: Introduced 1/10/2013; Died in Committee

*Failed*

**KS**

**[47-1825](#)**

**Farm Animal and Field Crop and Research Facilities Protection Act**

Description:

Under the act, no person shall, without the effective consent of the owner and with the intent to damage the enterprise conducted at the animal facility, damage or destroy an animal facility or any animal or property in or on an animal facility. A person is also prohibited from exercising control over an animal or property. The act makes it illegal for a person to enter an animal facility that is not open to the public to take pictures or video.

*Passed*

Pass Date: 1991

**MA**

**[SB 786](#)**

Description:

Would prohibit the confinement of a gestating sow, veal calf or egg-laying hen in an enclosure in a manner that prevents the animal from turning around freely, lying down, standing up and fully extending its limbs.

Status: Introduced 1/24/2011; Died in Committee

*Failed*

**MN**

**[SF 1118](#)**

Description:

Would make a person guilty of animal facility interference if the person records video or sound at the facility and would make a person guilty of animal facility fraud if the person obtains access to the facility under false pretenses.

Status: Introduced 4/7/2011; Died in Committee

*Failed*

**MO**

**[HB 1204](#)**

**Preserving Freedom from Unwarranted Surveillance Act**

Description:

No person, entity, or state agency shall use a drone or other unmanned aircraft to conduct surveillance or observation of any individual, property owned by an individual, farm, or agricultural industry without the consent of that individual, property owner, farm, or agricultural industry except to the extent authorized in a warrant.

Status: Engrossed 3/24/2014; Died in Chamber

*Failed*

**MO**

**[SB 695](#)**

Description:

Under the act, employees of animal agricultural operations who videotape what they suspect is animal abuse must provide the recording to a law enforcement agency within 24 hours and any such recordings must not be edited in any way.

Status: Effective 8/28/2012

*Passed*

**MT**

**[81-30-1](#)**

**Farm Animal and Research Facility Protection Act**

Description:

Would prohibit a person who does not have the effective consent of the owner from entering an animal facility to take pictures by photograph, video camera, or other means with the intent to commit criminal defamation.

*Passed*

Pass Date: 1991

**MT**

**[SB 285](#)**

**Generally revise laws relating to reporting of animal cruelty and abuse**

Description:

Would require an individual who witnesses evidence of animal cruelty at an animal facility to report the evidence within 24 hours to a local humane officer.

Status: Introduced 2/6/2015; Died in Chamber

*Failed*

**NC**

**[HB 405](#)**

**Property Protection Act**

Description:

The act provides that any person who intentionally gains access to the nonpublic areas of another's premises and engages in an act that exceeds the person's authority to enter those areas is liable to the owner or operator of the premises for any damages sustained.

*Passed*

Pass Date: 6/4/2015

**ND**

**[12.1-21.1](#)**

**Animal Research Facility Damage Act**

Description:

Would prohibit a person to intentionally damage or destroy an animal facility, an animal or property in or on the animal facility, or any enterprise conducted at the animal facility; Acquire or otherwise exercise control over an animal facility or an animal or other property from an animal facility with the intent to deprive the owner and to damage the enterprise conducted at the facility; Enter an animal facility, not then open to the public, with intent to commit an act prohibited by this section; Enter an animal facility and remain concealed

with intent to commit an act prohibited by this section; Enter an animal facility and commit or attempt to commit an act prohibited by this section; Enter an animal facility and use or attempt to use a camera, video recorder, or any other video or audio recording equipment or intentionally turn out or release any animal in or on an animal facility.

*Passed*

Pass Date: 1991

**NE**

**[LB 915](#)**

Description:

Would prohibit any person from obtaining employment at an animal facility with the intent to disrupt the normal operations of the animal facility.

Status: Introduced 1/10/2012; Died in Chamber

*Failed*

**NH**

**[HB 110](#)**

Description:

Would require persons who record cruelty to livestock to report such cruelty and submit such recordings to a law enforcement agency within 24 hours.

Status: Introduced 1/3/2013; Died in Chamber

*Failed*

**NM**

**[SB 221](#)**

**Report livestock injuries to law enforcement**

Description:

Would require a person who has made a video or digital recording to submit the recording to a law enforcement agency within 24 hours of determining or having reason to believe that it depicts injury to livestock. It is prohibited to splice, edit or otherwise alter a video or digital recording prior to its submission to a law enforcement agency.

Status: Introduced 1/22/2015; Died in Chamber

*Failed*

**NM**

**[SB 552](#)**

**Livestock operation interference act**

Description:



States a person is guilty of livestock operation interference if the person:

1. Without consent from the owner of a livestock operation, or the owner's agent, knowingly or intentionally records an image of, or sound from, the livestock operation by leaving a recording device on the livestock operation;
2. Obtains access to a livestock operation under false pretenses;
3. Applies for employment at a livestock operation with the intent to record an image of, or sound from, the livestock operation;
4. Knows, at the time that the person accepts employment at a livestock operation, that the owner of the livestock operation prohibits the employee from recording an image of, or sound from, the livestock operation and while present on the livestock operation records an image of, or sound from, the livestock operation; or
5. Without consent of the owner of a livestock operation or the owner's agent, knowingly or intentionally records an image of, or sound from, a livestock operation while the person is committing criminal trespass on the operation.

Status: Introduced 2/1/2013; Died in Chamber

*Failed*

**NY**

**[SB 5172](#)**

**Relates to the unlawful tampering of farm animals**

Description:

Would prohibit the any interference with a farm animal or farm through the injection of any unauthorized substance, the release of a farm animal, the unauthorized feeding or unauthorized video, audio recording or photography done without the farm owner's written consent.

Status: Introduced 5/3/2011; Died in Committee

*Failed*

**PA**

**[HB 683](#)**

Description:

Would make a person guilty of interfering with agricultural operations if the person, without consent from the owner of an agricultural operation or the owner's agent:

1. Records an image of, or sound from, the agricultural operation by leaving a recording device on the agricultural operation; or uploads, downloads, transfers or otherwise sends recorded images of, or sound from, the agricultural operations over the Internet in any medium.
2. Obtains access to an agricultural operation under false pretenses.
3. Enters an agricultural operation with the intent to obtain unlawful possession of, or access to, any information, data or article representing any agricultural activity or farming which is conducted or takes place at the agricultural operation.
4. Applies for employment at an agricultural operation with the intent to record an image of, or sound from, the agricultural operation;
5. Knows, at the time that the person accepts employment, that the owner of the agricultural operation prohibits the recording of any image of, or sound from, the agricultural operation; and while employed at, and while present on, the agricultural operation, records an image of, or sound from, the agricultural

operation.

6. Without consent from the owner of the agricultural operation or the owner's agent, records an image of, or sound from, an agricultural operation while the person is committing criminal trespass.

Status: Introduced 2/12/2013; Died in Committee

*Failed*

**RI**

**[HB 5799](#)**

**Relating To Animals And Animal Husbandry**

Description:

Would require a person charged with the care or custody of an animal to report concerns of animal abuse, neglect or abandonment to any local or state police department, animal control officials or officers of private organizations devoted to the humane treatment of animals, and shall be immune from suit by reason of making the report.

Status: Introduced 3/5/2015; Died in Chamber

*Failed*

**SC**

**[47-21-10](#)**

**Farm Animal, Crop Operation, and Research Facilities Protection Act**

Description:

Would prohibit a person from: damaging or destroying an animal facility, an animal, or property in or on an animal facility with the intent to disrupt or damage the enterprise conducted at the animal facility; entering an animal facility, not then open to the public, with intent to commit an act prohibited by this section; remaining concealed, with intent to commit an act prohibited by this section; entering or remaining in an animal facility with the intent to disrupt or damage the enterprise conducted at the animal facility and the person had notice that the entry was forbidden; or received notice to depart but failed to do so.

Status: Effective 6/7/2012

*Passed*

**TN**

**[HB 1191](#)**

Description:

Would require a person who records animal cruelty committed against livestock to report such violation and submit any unedited photographs or video recordings to law enforcement authorities within 24 hours of the photograph's or recording's creation.

Status: Introduced 2/13/2013; Died in Chamber

*Failed*

**TN**

## [HB 1838](#)

Description:

Any person who intentionally accesses a nonpublic area of another's premises and engages in an act that exceeds that person's authority to enter those areas is liable to the owner or operator of the premises for any damages sustained that were caused by the person's access. An act that exceeds a person's authority to enter the nonpublic areas of another's premises includes:

1. An employee intentionally enters the nonpublic area of an employer's premises for a reason other than intent of seeking or holding employment or doing business with the employer, and thereafter, without authorization, captures or removes the employer's data, paper, records, or any other documents;
2. An employee intentionally enters the nonpublic area of an employer's premises for a reason other than intent of seeking or holding employment, or doing business with the employer, and thereafter, without authorization, records images or sound occurring within an employer's premises;
3. An employee knowingly places on the employer's premises an unattended camera or electronic surveillance device and uses that camera or device to record images or data.

Status: Introduced 1/19/2016; Died in Chamber

*Failed*

**TN**

## [HB 3620](#)

Description:

Would prohibit a person to apply for employment with the intent to cause economic damage to the employer by recording video or audio while on the premises of the employer and releasing such recordings to a third party. Would allow all recordings taken in violation to be confiscated and, after their use as evidence, destroyed.

Status: Introduced 1/26/2012; Died in Chamber

*Failed*

**TN**

## [SB 1248](#)

Description:

Would require a person who records animal cruelty committed against livestock to report such violation and submit any unedited photographs or video recordings to law enforcement authorities within 24 hours of the photograph's or recording's creation.

Status: Failed 4/17/2013; Vetoed by Governor 5/13/2013

*Failed*

**TX**

## [HB 1643](#)

Description:

Would add a concentrated animal feeding operations to the list of facilities that drones are prohibited from

flying over.

Status: Effective 9/1/17

*Passed*

Pass Date: 6/15/2017

**UT**

**[HB 187](#)**

**Agricultural Operation Interference**

Description:

Would make a person guilty of agricultural operation interference if the person without consent from the owner of the agricultural operation, or the owner's agent, knowingly or intentionally records an image of, or sound from, the agricultural operation by leaving a recording device on the agricultural operation; obtains access to an agricultural operation under false pretenses; applies for employment at an agricultural operation with the intent to record an image of, or sound from, the agricultural operation; knows, at the time that the person accepts employment at the agricultural operation, that the owner of the agricultural operation prohibits the employee from recording an image of, or sound from, the agricultural operation; and while employed at, and while present on, the agricultural operation, records an image of, or sound from, the agricultural operation; or without consent from the owner of the operation or the owner's agent, knowingly or intentionally records an image of, or sound from, an agricultural operation while the person is committing criminal trespass on the agricultural operation.

The bill passed on March 7, 2012 and went into effect May 8, 2012, but was ruled unconstitutional by a federal judge in July 2017.

Status: Ruled unconstitutional 7/8/2017

*Failed*

**WA**

**[HB 1104](#)**

**Creating the crime of interference with agricultural production**

Description:

Would make it a crime of interference with agricultural production if an individual knowingly is not employed by an agricultural production facility and enters by theft, force, threat, misrepresentation or trespass; obtains records of an agricultural production facility by force, threat, misrepresentation or trespass; obtains employment with an agricultural production facility by force, threat or misrepresentation with the intent to cause economic or physical injury to the facility's operations, property, personnel or goodwill; enters an agricultural production facility that is not open to the public and without the owner's written consent and makes video recordings of the agricultural production facility's operations; or intentionally causes economic or physical injury to the operation.

Status: Introduced 1/12/2015; Died in Chamber

*Failed*

**WY**

**[HB 126](#)**

Description:

Would make a person (other than a law enforcement officer) guilty of interference with an agricultural operation if the person: knowingly or intentionally records an image of or sound from the operation by concealing or placing a recording device on the premises of the operation without the consent of the owner or manager; obtains access to the operation under false pretenses; while employed, records an image or sound if the person knew at the time they accepted employment that the owner prohibited recording an image or sound from the operation.

Would require any person to report concerns of animal cruelty within 48 hours to any peace officer employed with local government.

Status: Engrossed 2/5/2013; Died in Chamber

*Failed*

**WY**

**[SB 76](#)**

**Civil trespass to collect data-amendments**

Description:

Would make an individual guilty of civil trespass if that person enters onto private land for the purpose of collecting resource data if they do not have an ownership interest in the real property, authorization to enter the private land to collect the resource data; or the written or verbal permission of the owner, lessee or agent of the owner to enter.

*Passed*

Pass Date: 3/16/2016

**WY**

**[SF 12](#)**

**Trespassing to collect data**

Description:

A person is guilty of trespassing to collect resource data if the person enters onto the land without an ownership interest in the real property or, statutory, contractual or other legal authorization to enter or access the land to collect resource data; or written or verbal permission of the owner, lessee or agent of the owner.

*Passed*

Pass Date: 3/10/2015

**For More Information:**

Contact the Animal Agriculture Alliance by calling (703) 562-5160 or emailing [info@animalagalliance.org](mailto:info@animalagalliance.org). You can also visit our website at [www.animalagalliance.org](http://www.animalagalliance.org)