

**BALLOT PROPOSITION #204**  
**Humane Treatment of Farm Animals Act**

**FISCAL ANALYSIS**

**Description**

Proposition 204 would establish a Class 1 Misdemeanor for tethering or confining a pregnant pig or veal calf in a manner that prevents the animal from either lying down and fully extending its limbs, or turning around freely for all or the majority of any day. Exceptions to this rule are allowed, such as transportation and veterinary purposes. The measure takes effect December 31, 2012.

**Estimated Impact**

State and local governments may receive additional revenues in the form of fines and penalty assessments from violators of provisions of Proposition 204. The language of the proposition states that the measure does not impose mandatory expenditure of state revenues for any purpose. If, however, a court rules that the proposition results in mandatory expenditure of state revenue, a Humane Treatment of Farm Animals Fund is established and funded through enforcement related revenue and donations. The total amount of fines will depend on the level of compliance, which is difficult to predict in advance.

The Department of Agriculture does not have a cost estimate for this proposition.

**Analysis**

A Class 1 Misdemeanor has a maximum fine of \$2,500 per individual and \$20,000 per enterprise. Misdemeanor fines are generally deposited with the local jurisdiction that prosecutes the offense. Criminal fines also receive a penalty assessment which is deposited in various state funds for criminal justice programs, medical services and campaign financing.

**Local Government Impact**

Proposition 204 does not have a direct fiscal impact on local governments other than the cost of enforcing the proposition. The proposition may also indirectly affect local communities with hog and pig farms.

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This estimate was prepared by Tyler Palmer (602-926-5491).
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