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The original instrument was prepared by Cathy R. Wells. The following digest, which does not constitute a part of the legislative instrument, was prepared by Mary Dozier O'Brien.

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## DIGEST

Morrell (SB 523)

Proposed law provides that it is illegal to possess, train, purchase, or sell any chicken, with the intent that the chicken will engage in an unlawful commercial or private cockfight.

Present law provides for the definition of "chicken" as any bird that is of the species of *Gallus gallus*, whether domestic or feral, for the purposes of the crime of cockfighting.

Proposed law changes the definition of "chicken" to be any gamefowl, rooster, or other bird, whether domestic or feral.

Proposed law provides that possessing, manufacturing, buying, selling, trading of paraphernalia, such as spurs, gaffs, knives, leather training spur covers and other items normally used in cockfighting together with evidence that the paraphernalia is being used or intended for use in the unlawful training of a chicken to fight with another chicken, along with the possession of any such chicken shall be admissible as evidence of a violation.

Present law provides for the following penalties on conviction of cockfighting:

First offense: Fined not more than \$1,000, or imprisoned for not more than six months, or both.

Second offense: Fined not less than \$750, nor more than \$2,000, or imprisoned with or without hard labor, for not less than six months, nor more than one year, or both. Upon conviction of second offense, the offender shall be ordered to perform 15 eight-hour days of court-approved community service that shall not be suspended.

Third offense: Fined not less than \$1,000, nor more than \$2,000 and imprisoned with or without hard labor, for not less than one year nor more than three years, and requires that a minimum of six months of the sentence be served without benefit of parole, probation, or suspension of sentence.

Proposed law provides for the following penalties on conviction of cockfighting:

First offense: Fined not less than \$750, nor more than \$2,000, or imprisoned with or without hard labor, for not less than six months, nor more than one year, or both. Upon conviction of a second offense, the offender shall be ordered to

perform 15 eight-hour days of court-approved community service that shall not be suspended.

Second offense: Fined not less than \$1,000, nor more than \$2,000 and imprisoned with or without hard labor, for not less than one year nor more than three years, and requires that a minimum of six months of the sentence be served without benefit of parole, probation, or suspension of sentence.

Proposed law provides that when one chicken is acting in a manner that would constitute cockfighting, then each chicken involved constitutes a separate offense.

Effective August 1, 2014.

(Amends R.S. 14:102.23(A)(2), (B)(1), and (C); adds R.S. 14:102.23(D) and (E))

### Summary of Amendments Adopted by Senate

#### Senate Floor Amendments to engrossed bill

1. Provides that when one chicken is acting in a manner that would constitute cockfighting, then each chicken involved constitutes a separate offense.
2. Technical amendments.