

SENATE BILL NO. 523

BY SENATOR MORRELL

1 AN ACT

2 To amend and reenact R.S. 14:102.23(B)(1) and (C) and to enact R.S. 14:102.23(D), (E),
3 and (F), relative to the crime of cockfighting; to provide for definitions; to provide
4 that possession of certain paraphernalia may be admissible as evidence of a
5 violation; to provide penalties upon conviction of cockfighting; to provide for
6 exceptions; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 14:102.23(B)(1) and (C) are hereby amended and reenacted and R.S.
9 14:102.23(D), (E), and (F) are hereby enacted to read as follows:

10 §102.23. Cockfighting

11 * * *

12 B. As used in this Section, the following words and phrases have the
13 following meanings ascribed to them:

14 (1) "Chicken" means any ~~bird which is of the species *Gallus gallus*~~, **game**
15 **fowl or rooster** whether domestic or feral **normally used in a cockfight**.

16 * * *

17 C. **Possessing, manufacturing, buying, selling, or trading of**
18 **paraphernalia such as spurs, gaffs, knives, leather training spur covers, and**
19 **other items or substances normally used in cockfighting with the intent that**
20 **they shall be used in a cockfight together with evidence that the paraphernalia**
21 **is being used or intended for use in the unlawful training of a chicken to fight**
22 **with another chicken, shall be admissible as evidence of a violation of this**
23 **Section. Whoever violates the provisions of this Subsection, upon conviction**
24 **shall be fined not more than five hundred dollars, or imprisoned for not more**
25 **than six months, or both. However, the provisions of this Section shall not be**
26 **construed to prohibit the possessing, buying, selling, or trading of any spurs,**
27 **gaffs, knives, leather training spur covers, or any other items normally used in**

1 cockfighting which are at least five years old and have historical value.

2 D.(1) Whoever violates the provisions of this Section, on conviction of a first
 3 offense, ~~shall be fined not more than one thousand dollars, or imprisoned for not~~
 4 ~~more than six months, or both.~~

5 ~~(2) On a conviction of a second offense, the offender shall be fined not less~~
 6 ~~than seven hundred fifty dollars, nor more than two thousand dollars, or imprisoned,~~
 7 ~~with or without hard labor, for not less than six months nor more than one year, or~~
 8 ~~both. In addition to any other penalty imposed, on a conviction of a ~~second~~ **first**~~
 9 ~~offense, the offender shall be ordered to perform fifteen eight-hour days of court-~~
 10 ~~approved community service. The community service requirement shall not be~~
 11 ~~suspended.~~

12 ~~(3)~~(2) On a conviction of a ~~third~~ **second** offense, the offender shall be fined
 13 not less than one thousand dollars, nor more than two thousand dollars, and shall be
 14 imprisoned, with or without hard labor, for not less than one year nor more than three
 15 years. At least six months of the sentence imposed shall be served without benefit
 16 of parole, probation, or suspension of sentence.

17 E. For the purposes of this Section, when more than one chicken is
 18 subject to an act that would constitute cockfighting, each chicken involved shall
 19 constitute a separate offense.

20 F. The provisions of this Section shall not be construed to prohibit the
 21 raising of any chicken, rooster, or gamefowl for the purposes of personal
 22 enjoyment, exhibition, or agricultural pursuits as long as the purpose of such
 23 pursuits are legal.

 PRESIDENT OF THE SENATE

 SPEAKER OF THE HOUSE OF REPRESENTATIVES

 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____