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**SENATE COMMITTEE ON AGRICULTURE**  
**Senator Melissa Hurtado, Chair**  
**2025 - 2026 Regular**

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<b>Bill No:</b>	AB 928	<b>Hearing Date:</b>	7/1/25
<b>Author:</b>	Rogers		
<b>Version:</b>	6/2/25		
<b>Urgency:</b>	No	<b>Fiscal:</b>	Yes
<b>Consultant:</b>	Reichel Everhart		

**Subject:** Roosters: restrictions

**SUMMARY:**

This bill prohibits, on and after January 1, 2027, a person from keeping more than 25 roosters that are movement constrained through the use of an enclosure or tether, except as specified. The bill establishes a civil penalty not to exceed \$2,500 for each violation, as provided, for each day a rooster is kept in violation of that prohibition.

**BACKGROUND AND EXISTING LAW:**

Existing federal law:

- 1) Establishes that it is unlawful for any person to knowingly sponsor or exhibit an animal in an animal fighting venture.<sup>1</sup>

Existing state law:

- 1) Establishes that any person who, for amusement or gain, causes any cock to fight with another cock or with a different kind of animal, or allows it to happen on their property, or aids or abets in the fighting of an animal, is guilty of a misdemeanor.<sup>2</sup>

**PROPOSED LAW:**

This bill:

- 1) Establishes findings and declarations:

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<sup>1</sup> [7 U.S. Code § 2156 - Animal fighting venture prohibition | U.S. Code | US Law | LII / Legal Information Institute](#)

<sup>2</sup> California Penal Code Section 597b(b)

- 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 the United States in Louisiana.
- 2) States on and after January 1, 2027, a person shall not keep more than 25 roosters that are movement constrained through the use of an enclosure or tether.
  - 3) States this section does not apply to the following:
    - a. 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.
    - b. A public or private school registered with the State Department of Education.
    - c. A government-operated animal shelter.
    - d. A nonprofit animal welfare organization, as defined in Section 6010.40 of the Revenue and Taxation Code.
    - e. 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.
    - f. A person who meets all of the following criteria:
      - i. Owns and breeds poultry for the purpose of lawful exhibition in accordance with accepted poultry raising practices and all laws and regulations governing exhibition.

- ii. 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.
  - iii. Does not possess more than 25 gamefowl roosters.
- 4) Defines the following:
- a. “Enclosure” to mean 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:
    - i. Is used to provide long-term housing for one adult rooster.
    - ii. Prevents physical contact with other roosters.
  - b. “Gamefowl rooster” to mean 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:
    - i. American Gamefowl
    - ii. Asil
    - iii. Other breeds or crossbreeds of rooster intended or used for fighting.
  - c. “Property” to mean a parcel, as defined in Section 9021 of the Streets and Highways Code, or a combination of parcels operated as one unit.
  - d. “Rooster” to mean a male chicken that meets all of the following criteria:
    - i. Is six months of age or older.
    - ii. Has full adult plumage.
    - iii. Is capable of crowing.
    - iv. Is not a bantam chicken.

**ARGUMENTS IN SUPPORT:** According to the author:

“Cockfighting is a criminal industry that profits from severe animal cruelty and often occurs alongside other illegal activities, such as domestic violence and drug trafficking. Although cockfighting is illegal in every state and under federal law, it continues to transpire across the country, especially in California. An integral and lucrative part of this industry is the trafficking of fighting birds from gamefowl yards where hundreds to thousands of roosters are bred and sold for fighting. The USDA estimates that there are 3 to 8 million fighting birds in California alone. These birds are raised outside with minimal shelter, kept in inhumane conditions meant to heighten their aggressive behaviors, and sold for hundreds or thousands of dollars per bird. Illegally trafficked fighting birds are also a threat to legal poultry operations and public

health given the current and potential impacts of avian flu and other avian diseases. Law enforcement needs more tools to address the prevalence of cockfighting and related activities. AB 928 empowers law enforcement to proactively address this issue by establishing civil liability for those who traffic birds for fighting. The provisions of this bill won't interfere with commercial poultry operations, poultry hobbyists, schools, animal agencies, and FFA and 4H projects. California must continue to lead the fight against animal cruelty and provide law enforcement with effective deterrents, like civil penalties, to stop illegal cockfighting and bird trafficking operations. Modeled after existing California county ordinances, this bill will safeguard local communities from the cruelty, noise, avian disease, and criminal activities that are linked to cockfighting.”

The Humane World for Animals, the sponsors of the bill write in support stating:

“AB 928 complements existing California law, which criminalizes the act of fighting birds, by establishing civil penalties for anyone who possesses more than 25 roosters on a property that are tethered or individually caged— conditions that are consistent with cockfighting operations. The legislation has been carefully crafted with the input of multiple stakeholders to include explicit exemptions for individuals or entities with legitimate reasons to house more than 25 roosters, including commercial poultry operations, poultry hobbyists, schools, animal agencies, and FFA and 4H projects.

“Although the activity is illegal in every state and under federal law, cockfighting remains a widespread criminal industry in the U.S., particularly in California. Gamefowl yards—where hundreds or thousands of roosters are bred and raised for the purpose of cockfighting—are littered throughout our state. According to our animal fighting experts, California has more gamefowl yards than any other state, and many are operated by notorious breeders who traffic birds nationally and internationally.

“California has also been the site of the three largest seizures of fighting birds in the U.S. over the last decade. In a recent case in Ceres, the defendant was convicted of federal crimes related to the illegal sale of fighting birds, and nearly 3,000 birds were seized from his gamefowl yard. This operation attracted animal fighters from around the world to travel to Ceres and purchase roosters. In 2017, Los Angeles

County seized an astonishing 7,000 birds in another cockfighting bust. About 2,700 birds had been seized from the same property in 2007.

These operations are not confined to any single region of the state. A Humane World research project using publicly available satellite imagery identified gamefowl yards in 43 counties across the State. Due to the distinctive layout and the tethering or individual caging of birds, these gamefowl yards are easily identified on Google Earth— much like dogfighting yards.

“Cockfighting is a barbaric and inexcusable criminal industry that profits from animal cruelty. It involves pitting two roosters against one another, each with metal weapons attached to their legs to fight to the death for the spectators' entertainment. Sadly, children are often present at these events. Cockfighting is closely linked with other crimes, including drug and weapons trafficking, domestic violence, child abuse, intimidation of neighbors and witnesses, assaults, and even homicide. In 2024, five Bakersfield men pleaded guilty to running a drug trafficking operation, distributing large quantities of methamphetamine and heroin. These men were also found to have 77 roosters and 15 hens, and evidence indicated that the roosters were being raised and sold for cockfighting.

“Moreover, gamefowl are a high-risk disease vector for avian disease. They are raised unvaccinated without protection from wild birds, transported across the country without oversight, and often exposed to biofluids from other birds. In 2003, roosters illegally smuggled into California from Mexico for cockfighting are believed to have caused a virulent Newcastle disease (vND) outbreak in the state that lasted eleven months, led to the depopulation of 3 million birds, and cost taxpayers \$167 million. The National Chicken Council has testified to this fact: "Cockfighting is an inhumane practice that presents a continuing threat to the health of commercial flocks.

“Gamefowl yards also negatively impact property value and the quality of life for residents. They foster cruelty, crime, and disease, and make neighborhoods less desirable places to live. Californians do not want to reside with the nuisance of hundreds or thousands of crowing roosters, the noxious odors, uncontrolled feces runoff, and rats that are common to these uniquely unsanitary environments. In response to many of the aforementioned concerns, fifteen California counties, including Butte, Placer, and Solano counties, have passed local ordinances that limit the number of roosters allowed and in what conditions.”

**ARGUMENTS IN OPPOSITION:** The Tulare County Farm Bureau writes in opposition to the bill stating:

“California Farm Bureau has removed their support for AB 928, and Tulare County Farm Bureau agrees this is a bad bill, that over-reaches and creates unintended consequences that would have significant effects on private ownership of poultry by law abiding citizens. We oppose AB 928.

- Over 20 million chicks are hatched or shipped to California each year...over half of those are roosters
- Roosters are commonly kept separate from other roosters and hens because of their proclivity to fight
- Millions of law-abiding Californians keep their roosters in their own cages to prevent fighting or in the instance of show birds, to keep their feathers conditioned
- Rooster rescues are at the brink and simply cannot handle any more roosters
- Traditional rooster rescues that are not 501c3s are NOT excluded from this law
- When faced with no re-homing option, we will see millions of unwanted roosters dumped into our communities
- These feral roosters will not be protected from wild birds and will spread catastrophic diseases like Avian Influenza and Marek's to commercial and personal flocks, in addition to zoonotic diseases to humans
- The exemptions from the bill are not adequate to protect all legal rooster owners, something the author cannot overcome or find a way to fix
- Animal Control and local DA's will be overburdened with requests for prosecution and the County will be subject to multiple instances of litigation due to misapplication of the "intent" of the law versus the actual wording of the law. (Tulare County analyzed a similar ordinance proposal a few years ago and it was more than \$1 million in new costs for their Animal Services staff to try to attempt to enforce).
- County animal control officers have testified that this bill will do nothing to stop illegal cock fighting and they do not have the time, budget or facilities to deal with an influx of unwanted roosters
- Central Valley Feed mills and stores estimate a 25% drop in revenue leading to employee layoffs

- Those who raise roosters for food are NOT excluded from this bill, only commercial food producers
- There is widespread opposition from 4-H, FFA & Grange youth who show birds but not as part of an official poultry project with their club...they are NOT excluded from this law
- Rescues and animal rights activists oppose this bill
- The Hmong culture hold roosters in high reverence in their religious practice...they are NOT excluded by this law and this bill violates their First Amendment right to freedom of religion
- Many other American and Asian groups have a strong cultural identity to roosters and are being portrayed as cockfighters even when they are not
- 100% of the cost of remediation for the damage and disease from a large feral rooster population is solely YOUR responsibility.”

### **COMMENTS:**

Why would someone have more than 25 roosters:

- 1) Religious and cultural practices: Some cultures use roosters for certain ceremonies.
- 2) Developing heritage lines: One reason why someone may have more than 25 roosters at a time could be they are developing genetic lines. Breeders maintain multiple bird families designed intentionally to foster particular traits while avoiding problematic inbreeding.
- 3) Family Flocks: Refers to a group of chickens kept together by a family, often on a homestead or small farm. Each family flock includes one rooster. Those family hens lay eggs from which it is statistically likely roosters will be hatched thereby multiplying the number of roosters on the property.
  - a. The hatched roosters are then raised for at least two years before reaching full maturity when the favorites are selected for show in front of judges at sanctioned events. As those roosters grow into maturity and show age, the following generations are being bred, hatched and raised up behind them, further increasing the number of roosters on property<sup>3</sup>.
- 4) They have “aged out” of programs that had allowed them to raise birds: Programs such as 4-H or FFA. For example, 4-H is for youth, ages 5 to 18. Once they age out of 4-H they can no longer compete or exhibit as a youth in 4-H at shows, fairs, or contests. The same age limit applies for FFA.

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<sup>3</sup> [https://santamariatimes.com/news/local/why-roosters-some-say-theyre-a-cultural-tradition-others-cite-noise-cockfighting-concerns/article\\_c37086f2-6d8c-5cd0-867c-4faae4d407a6.html](https://santamariatimes.com/news/local/why-roosters-some-say-theyre-a-cultural-tradition-others-cite-noise-cockfighting-concerns/article_c37086f2-6d8c-5cd0-867c-4faae4d407a6.html)

In 2022, a similar bill listed under “Related Legislation” was held in the Assembly Public Safety Committee.

The Senate Rules Committee has double referred this bill to the Senate Judiciary Committee as the second committee of referral. Therefore, if this measure is approved by this committee, the motion should include an action to re-refer the bill to the Senate Committee on Judiciary.

### **RELATED LEGISLATION:**

AB 2964 (Hart): This bill would have established prima facie evidence of an intent to engage in cockfighting if any person keeps or raises more than 3 roosters per acre of property, or more than 25 roosters on any property. The bill would have provided exemptions for the following: a) Commercial poultry ranches registered with the Department of Food and Agriculture that primarily produces eggs or meat for commercial sale of food; b) Public or private schools registered with the State Department of Education; Government operated animal shelters; Nonprofit animal welfare organizations, as specified; and, a 4-H or Future Farmers of America (FFA) project that involves roosters, if written approval has been provided 4-H or FFA. *The bill was held in Assembly Public Safety.*

### **PRIOR ACTIONS:**

Assembly Floor:	46 - 15
Assembly Appropriations Committee:	9 - 2
Assembly Agriculture Committee:	6 - 1

### **SUPPORT:**

Humane World for Animals (Sponsor)  
Animal Legal Defense Fund  
Berkeley-East Bay Humane Society  
Calaveras County Animal Services  
California Animal Welfare Association  
Central California SPCA  
County of Monterey  
County of San Luis Obispo, Animal Services Division  
East Bay SPCA  
Friends of the Alameda Animal Shelter  
Health and Humane Agency Services, El Dorado County



Humane Society for Inland Mendocino County  
Humane Society of Imperial County  
Humane Society of San Bernardino Valley  
Humane Society of Ventura County  
Inland Valley Humane Society & S.P.C.A.  
Long Beach Animal Care Services  
Marin Humane  
National Animal Care & Control Association  
Public Interest Coalition  
San Diego Humane Society  
San Francisco SPCA  
Santa Barbara Humane  
Santa Cruz County Animal Shelter  
Santa Cruz County Animal Shelter Foundation  
Sonoma County Animal Services  
Southeast Area Animal Control Authority  
Sutter Animal Services Authority  
Town of Apple Valley Animal Services

**OPPOSITION:**

American Bantam Association District 15  
Association for the Preservation of Gamefowl  
Friends of Animals  
Greater California Society of Poultry Fanciers  
Hen Harbor  
Humane Farming Association  
Humboldt Poultry Fanciers Association  
Kings County Farm Bureau  
Leach Grain & Milling  
Nate's Chicks  
Rooster Sanctuary At Danzig's Roost  
Southern California Poultry Club LLC  
Tulare County Farm Bureau  
Tulare County Sheriff

**-- END --**