

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

HOUSE BILL 1611

5 By: Representative Gonzales
6 By: Senator Crowell
7

For An Act To Be Entitled

9 AN ACT TO CREATE THE GAME FOWL FARM REGISTRATION AND
10 PRESERVATION ACT; TO AMEND THE DEFINITION OF ANIMAL
11 FIGHTING WITH RESPECT TO THE OFFENSE OF UNLAWFUL
12 ANIMAL FIGHTING; TO CREATE THE OFFENSE OF UNLAWFUL
13 ROOSTER FIGHTING; TO DECLARE AN EMERGENCY; AND FOR
14 OTHER PURPOSES.
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16

Subtitle

18 TO CREATE THE GAME FOWL FARM
19 REGISTRATION AND PRESERVATION ACT; TO
20 AMEND THE DEFINITION OF ANIMAL FIGHTING;
21 TO CREATE THE OFFENSE OF UNLAWFUL
22 ROOSTER FIGHTING; AND TO DECLARE AN
23 EMERGENCY.
24

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
26

27 SECTION 1. DO NOT CODIFY. Title.

28 This act shall be known and may be cited as the "Game Fowl Farm
29 Registration and Preservation Act".
30

31 SECTION 2. DO NOT CODIFY. Legislative findings and intent.

32 (a) The General Assembly finds that:

33 (1) Unlawful rooster fighting continues to be a serious issue in
34 Arkansas, damaging the reputation of legitimate game fowl breeders and
35 inviting illegal activity;

36 (2) Arkansas lacks a clear framework to distinguish lawful game



fowl farms from unlawful rooster fighting operations;

(3) Concerns over disease outbreaks such as avian influenza and Virulent Newcastle disease pose risks to Arkansas's poultry industry, which is a major economic driver for the State of Arkansas;

(4) Game fowl farms currently operate without oversight, making it difficult to ensure animal welfare, prevent illegal fighting, and protect biosecurity; and

(5) A registration and health monitoring program will support responsible game fowl breeders while protecting Arkansas's poultry industry.

(b) It is the intent of the General Assembly to:

(1) Maintain existing laws that prohibit rooster fighting;

(2) Establish a game fowl farm registration system under the Arkansas Livestock and Poultry Commission to recognize lawful game fowl breeders; and

(3) Implement mandatory disease testing requirements every two (2) years to protect public health and safeguard Arkansas's poultry industry.

SECTION 3. Arkansas Code Title 2, Subtitle 3, is amended to add an additional chapter to read as follows:

Chapter 41 – Game Fowl Farm Registration and Preservation Act

2-41-101. Title.

This chapter shall be known and may be cited as the "Game Fowl Farm Registration and Preservation Act".

2-41-102. Definition.

As used in this chapter:

(1)(A) "Game fowl" means a domesticated bird traditionally bred, raised, or kept for agricultural, exhibition, or lawful cultural purposes, including without limitation a heritage breed known for historical or regional significance.

(B) "Game fowl" does not include a bird bred, raised, or trained for organized fighting; and

(2) "Game fowl farm" means an operation that breeds, raises, or sells game fowl for agricultural, breeding, or exhibition purposes.

2-41-103. Game fowl farm registration required.

(a) An individual or entity that owns a game fowl farm in Arkansas shall register every two (2) years with the Arkansas Livestock and Poultry Commission.

(b) Registration required by this section shall be:

- (1) Free of charge;
- (2) Required regardless of flock size; and
- (3) Used solely for disease tracking and breeder recognition purposes.

(c) A registered game fowl farm shall not be unfairly targeted or penalized solely based on registration status.

2-41-104. Failure to register.

(a) An individual or entity that owns a game fowl farm and operates the game fowl farm without registering as required by this chapter shall receive a written notice by certified mail, return receipt requested, from the Arkansas Livestock and Poultry Commission requiring the game fowl farm to comply with the registration requirement under § 2-41-103 within thirty (30) days.

(b) The failure of a game fowl farm owner to register after thirty (30) days from receipt of a written notice under subsection (a) of this section may result in a civil fine of two hundred fifty dollars (\$250) per violation.

(c) Continued failure to register after ninety (90) days from receipt of a written notice under subsection (a) of this section may result in:

- (1) Additional civil fines not to exceed five hundred dollars (\$500) for each subsequent thirty-day period of noncompliance; or
- (2) The suspension of eligibility to participate in poultry exhibitions, sales, or other regulated game fowl activities.

2-41-105. Mandatory disease testing.

(a) A game fowl farm shall be subject to mandatory disease testing every two (2) years under the supervision of the Arkansas Livestock and Poultry Commission.

(b) A game fowl farm shall comply with mandatory disease testing for:

- (1) Avian influenza;

1 (2) Virulent Newcastle disease; and

2 (3) Pullorum disease.

3 (c) The cost of mandatory testing under this section shall be covered
 4 by the commission for registered game fowl farms.

5
 6 2-41-106. Failure to comply with testing requirements.

7 (a) A game fowl farm that fails to comply with the testing
 8 requirements under this chapter shall receive a written notice by certified
 9 mail, return receipt requested, from the Arkansas Livestock and Poultry
 10 Commission requiring the game fowl farm to comply with the testing
 11 requirements within sixty (60) days.

12 (b) The failure of a game fowl farm to comply with testing
 13 requirements under this chapter within sixty (60) days from receipt of a
 14 written notice under subsection (a) of this section shall result in a civil
 15 fine of five hundred dollars (\$500).

16 (c) Continued failure to comply with testing requirements under this
 17 chapter after one hundred eighty (180) days from receipt of a written notice
 18 under subsection (a) of this section may result in suspension from poultry
 19 exhibitions, poultry sales, or other regulated game fowl farm activities.

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 21 SECTION 4. Arkansas Code § 5-62-120(f), concerning the definition of
 22 "animal fighting" with regard to unlawful animal fighting, is amended to read
 23 as follows:

24 (f)(1) As used in this section, "animal fighting" means organized
 25 fighting between ~~roosters or other birds or between~~ dogs, bears, or other
 26 animals.

27 (2) "Animal fighting" does not include lawful game fowl breeding
 28 or exhibition activities.

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 30 SECTION 5. Arkansas Code Title 5, Chapter 62, Subchapter 1, is amended
 31 to add an additional section to read as follows:

32 5-62-128. Unlawful rooster fighting.

33 (a)(1) A person commits the offense of unlawful rooster fighting in
 34 the first degree if he or she knowingly:

35 (A) Organizes, promotes, or profits from rooster fighting;

36 (B) Receives money for the admission of another person to

1 a location used for rooster fighting; or

2 (C) Breeds, sells, or trains game fowl specifically for
 3 fighting.

4 (2) Unlawful rooster fighting in the first degree is a Class D
 5 felony.

6 (b)(1) A person commits the offense of unlawful rooster fighting in
 7 the second degree if he or she knowingly:

8 (A) Pays to attend a rooster fight; or

9 (B) Participates in watching or carrying out an organized
 10 rooster fight.

11 (2) Unlawful rooster fighting in the second degree is a Class A
 12 misdemeanor.

13 (c) A person shall not be charged under this section solely for being
 14 present near a rooster fight unless there is reasonable cause to believe that
 15 the person paid to attend a rooster fight or was a knowing participant in
 16 watching or carrying out an organized rooster fight.

17 (d) A rooster shall not be seized by law enforcement under this
 18 section solely based on the arrest of a person for violating a provision of
 19 this section unless there is clear and convincing evidence that the rooster
 20 was used in rooster fighting.

21 (e) If a person is not convicted under this section, any seized
 22 rooster shall be immediately returned to the owner.

23 (f) A seized rooster shall not be euthanized unless a licensed
 24 veterinarian determines that the rooster is suffering from an untreatable
 25 medical condition.

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 27 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the
 28 General Assembly of the State of Arkansas that game fowl farming is a
 29 historical, cultural, and agricultural practice in this state; that there is
 30 an urgent need to protect the state's poultry industry from significant risks
 31 arising from potential outbreaks of diseases such as Avian influenza and
 32 Virulent Newcastle disease, which pose threats to public health and economic
 33 stability; that the lack of an immediate regulatory framework for game fowl
 34 farming limits biosecurity measures and may inadvertently facilitate unlawful
 35 rooster fighting operations; and this act is immediately necessary to ensure
 36 public safety, economic protection, and the integrity of Arkansas's poultry

1 sector. Therefore, an emergency is declared to exist, and this act being
2 immediately necessary for the preservation of the public peace, health, and
3 safety shall become effective on:

4 (1) The date of its approval by the Governor;

5 (2) If the bill is neither approved nor vetoed by the Governor,
6 the expiration of the period of time during which the Governor may veto the
7 bill; or

8 (3) If the bill is vetoed by the Governor and the veto is
9 overridden, the date the last house overrides the veto.

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