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Local Action for Animals as a Stepping Stone to State Protections

November 2022

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Background

Municipal ordinances can be an effective way to create animal protection laws at the local level, and could lead to great success at the state level. Passing laws at the local level allows people to help animals in their communities, while providing a model for other cities and jurisdictions. Local laws can also create momentum for statewide initiatives, which demonstrates a state's strong commitment to protecting animals.

Legislation is a key avenue animal advocates use to effect change at scale, but there is not much research about how to choose tractable issues and lobby for them successfully. The goal of this project was to look at whether local laws have laid the groundwork for laws at the state level of government, as a potential avenue for change. This study aimed to determine whether there is evidence that local animal laws have been or could influence state laws. And secondarily, whether case law has influenced state legislation.

To this end, we reviewed legal materials relating to animal welfare in the United States. The scope of this review included legislation and case law from the past twenty years, related to a range of animal welfare topics. Our primary focus was on farmed animal issues, but with consideration given to other issues that are similar and potentially generalizable. Our goals were to identify any trends and provide recommendations to advocates based on previous attempts to broaden the scope of animal welfare laws.

Key Findings

1. **Similar local laws that are adopted by multiple jurisdictions appear to positively influence the creation of state laws.** States seem to be more influenced when there are similar laws adopted widely across a large number of cities, presumably because the enactment of similar laws across the state or nation shows increasing public support for that particular animal topic. This also pressures the state legislature to reevaluate whether or not state laws are adequate to address the issue. When there is little or no similar law at the local level or in other states, it appears more likely that the bill will fail on the first attempt, or even several.
2. **Preemption of local laws by state statutes is the biggest barrier for animal advocates to effect change in municipalities.** "Preemption" refers to a higher level of government preventing a lower level of government from regulating a specific issue. The existence of state and federal laws preempting local governments from creating ordinances on specific animal topics make it essentially impossible for a municipality to take action in their community. Each state delegates power—the right to make laws and regulations to benefit their communities—to local governments in that state via the

state's constitution. In cases where local governments are preempted from creating laws on a particular animal issue, there may be no local laws on that topic for advocates to use in support of a state bill. For animal advocates, this is particularly relevant when it comes to farmed animals, because many states use preemption around animal husbandry and care standards in the agriculture industry.

3. **Even when there is preemption, non-binding local resolutions may influence the state legislature, as can litigation in some situations.** When local governments' power to create laws has been preempted, they can create non-binding resolutions to pressure higher levels of government to take action. This can bring awareness to state legislators about an issue the local community is concerned about, potentially inspiring legislators to consider the topic. We saw widespread use of resolutions in this review, with at least 22 resolutions that seemed likely to have influenced legislation, though there were also many that had not. Lawsuits were less frequent, but [California Veterinary Medical Ass'n. v. City of West Hollywood](#) (2007) provides an example of litigation being used successfully to reaffirm a city's power when state preemption was overly broad.
4. **Persistence is necessary, especially for animal issues with less local support.** We found that it took multiple attempts for many states to review and refine a bill pertaining to animal issues. Most state bills did not pass on their first introduction. State bills undergo an extensive process of reading, editing, and revision from the House and Senate chambers. Particularly when there are no similar bills or legislation enacted in other states or municipalities, it seems legislators may be wary of passing something without a clear base of support.
5. **Animal protection issues are at varying stages of success and are subject to different challenges.** While the primary goal of this report was to examine the influence of local action, an additional goal was to compile data about state and local laws for advocates to use as a starting point for additional research or to suggest actions they can take. State laws identified during our review are described in an [Excel spreadsheet](#) on the Open Science Framework.

Recommendations

Some of our recommendations apply to both experienced legal advocates as well as those advocates without much history of political work (commonly referred to as "grassroots advocates"), but we have created separate sections for each to frame them appropriately.

For Grassroots Advocates

- **Participate in creating strong animal protection laws in your community.** Supporting local laws is a feasible way for animal advocates anywhere in the country to

get involved in political action for animals. While the immediate impact may seem limited, this review found evidence that local action can be impactful as a demonstration of constituent support, particularly if a law is widely adopted across multiple jurisdictions. When deciding what to work on, you can draw from an issue you see happening in your area, but ensure that you also search online to see what kind of protections other cities in your state have around that issue—you can use them as a template or starting point.

- **Talk to your representatives.** Legislators, particularly at the local level, may be surprisingly willing to talk to someone who takes the time to set up a call. As part of this, try to research which of your city councillors might be willing to prioritize a specific animal topic by searching for their past voting record and other activities outside of government. When advocates form friendly relationships with legislators, legislators are more likely to help pass the desired legislation. They are also more likely to be honest: for instance, indicating the best time to introduce a bill and how to help it pass.
- **Make state legislators aware of local ordinances.** The above recommendation about talking to your representatives applies at the state level as well. Beyond expressing your own personal desire for better animal protections, it may be particularly impactful to let them know about local ordinances or resolutions that support the change you'd like to see at the state level. This provides the legislator with objective evidence that many people care about the issue.
- **For advocates looking to pursue the specific topics covered in this report, remember each has its own context and takeaways.** For all of the recommendations below, we also suggest that advocates read the specifics in the relevant sections of the full report.
 - **Battery cages, gestation crates, and veal crates:** In many states, laws may preempt local governments from creating local laws about the treatment of farmed animals, but local governments can write non-binding resolutions to pressure their state to make a change like banning battery cages or gestation and veal crates. While there is limited evidence about whether resolutions are effective, they are an option for advocates looking to work on these issues and could make an impact if they can be presented to state legislators in conjunction with other pieces of evidence (e.g., corporate pledges, public opinion surveys, animal welfare testimony).
 - **Foie Gras:** California is the only state to explicitly ban foie gras sales at the state level to date, and that ban has been challenged multiple times. Grassroots advocates can help by working with local governments outside California to bring about bans in more places, and/or by working with restaurants and businesses to remove foie gras from their menus, as these stakeholders have been strong opponents of the existing bans in California and the city of Chicago.

- **Fur:** California is the only state to ban fur sales at the state level, which was preceded by local action in several cities. At least six other states have so far failed to pass statewide bans on fur sales. Grassroots advocates can assist by working toward local bans in cities that don't already have them and ensuring that state legislators are aware of local ordinances that do exist: namely, in Florida, Michigan, and Colorado.
- **Plant-Based Procurement & Meat Reduction:** While non-binding resolutions are in place in numerous cities throughout the U.S., to our knowledge there are currently no local laws requiring governmental purchase of plant-based foods or city-wide meat reduction actions. Grassroots advocates could encourage action on these resolutions by reaching out to local businesses to ask about changes and express support for them.
- **Puppy Mills & Pet Retail:** With more than 400 U.S. municipalities banning puppy mill sales, state bills have had more success in this area. However, in states where bills have not passed, very few testifiers mentioned specific local ordinances. Grassroots advocates may be able to support state-level efforts by encouraging their representatives to consider local laws as evidence of voters' desire for a ban.
- **Declawing:** Just two states have banned the practice, and both appeared to be influenced by local ordinances that were mentioned in their bills. We recommend that advocates continue to pursue local action and follow other recommendations above to create state-level change.

For Experienced Legal Advocates

- **Organize efforts to create strong local ordinances across a state, or other local initiatives if ordinances are not possible.** Supporting local ordinances is a feasible way for animal advocates anywhere in the country to get involved in political action for animals. While the immediate impact may seem limited, this review found evidence that local action can be impactful as a demonstration of constituent support, particularly if a law is widely adopted across multiple jurisdictions. Local legislation can also provide a template for the state or other cities to model new legislation on. Given that tendency for other jurisdictions to model legislation after existing examples, we recommend that advocates work to make local ordinances as protective as possible of many animals, thinking of it as a potential template for larger-scale action.
- **Take note of opportunities to leverage existing local ordinances and resolutions.** In the *Fur* and *Plant-Based Procurement & Meat Reduction* sections of this report, we

have noted building momentum and potential for future action around fur bans, plant-based procurement, and Meatless Mondays.

- **Make state legislators aware of local ordinances.** If there is evidence of local ordinances or initiatives being implemented in a state's municipalities, this also can create conversation about why the state has not taken action as well. Informing state legislators of local ordinances ensures that they are aware that this is an area of concern that should be looked into. States may then evaluate all the local ordinances, decide which parts of the ordinances fit their jurisdiction best, and adopt those standards.
- **Provide information to people testifying in support of a state bill about local ordinances and initiatives and ask them to mention those existing ordinances in their testimony.** This is particularly likely to help if the localities are in the state in question, but this review found evidence that mentioning local ordinances in other states may also be helpful. At the same time, we found that there were many cases where a relevant local ordinance existed but was apparently not mentioned in support of a state bill.
- **A multi-pronged approach is likely helpful.** The existence of local ordinances or initiatives should be one of multiple arguments made to influence legislators, along with other factors like public attitudes, environmental impacts, animal welfare concerns, and so on. For example, the State of New York relied on multiple reasons for banning cat declawing, such as: evidence showing cat relinquishment to shelters is [unlikely](#); declawing causes [behavioral issues](#); there are [shifting attitudes](#) amongst individuals and organizations; and the enactment of [local ordinances](#) in other jurisdictions.
- **Track and share barriers and supports you encounter during the pursuit of legislative change.** Particularly because multiple attempts are often necessary to pass a bill, it's crucial to learn as much as we can from those experiences. Your own future efforts or other groups' efforts may benefit from tracking anything that seems to positively or negatively influence your efforts.
- **For advocates looking to pursue the specific topics covered in this report, each has its own legislative history to consider.** We encourage legal advocates to read the specifics in the relevant sections of the full report and/or to consult the tables at the end of the full report, where we have listed all state legislation and statutes, local ordinances and resolutions, and case law cited in this report.

Applying These Findings

We understand that reports like this have a lot of information to consider and that acting on research can be challenging. Faunalytics is happy to offer pro bono support to advocates and



nonprofit organizations who would like guidance applying these findings to their own work. Please visit our [Office Hours](#) or [contact us](#) for support.

Behind The Project

Research Team

The project's lead author was Precious Hose (Elisabeth Haub School of Law at Pace University). Dr. Jo Anderson (Faunalytics) reviewed and oversaw the work.

Acknowledgements

We would like to thank Sarah Hanneken and several anonymous advocates who provided valuable input about this research throughout the process. In addition, we are grateful to Faunalytics' donors for your support—your [donations](#) allow us to conduct essential research like this to help you take action for animals.

Research Ethics Statement

As with all of Faunalytics' original research, this study was conducted according to the standards outlined in our [Research Ethics and Data Handling Policy](#).

Terms

As always, we have tried to keep terminology lay-friendly throughout this report, but it is sometimes necessary to use legal terms that may be self-explanatory to legal advocates but new to other readers. These are described here to make this report as generally accessible as possible.

Case Law Versus Legislation

Case Law

Case law is law that is determined by [judicial decision](#). It involves two or more parties going to court to litigate a particular issue using facts specific to the parties' situation. Courts follow the doctrine of [stare decisis](#) ("let the decision stand," often known as precedent), to create and build upon judicial decisions. This ensures that people with similar circumstances or facts are treated alike.

There is both [binding and non-binding](#) case law. Binding case law means that lower courts must follow the precedent of higher appellate level courts in the same [jurisdiction](#). For example, a Florida trial court would look at how the issue was resolved at the Florida court of appeals. On the other hand, non-binding case law means that a trial court does not have to follow the decision of another trial court regardless of jurisdiction, though if the issue before the court is one that has not been heard before, the court *may* look at how other states have decided on the issue to inform their decision.

Legislation

In contrast, [legislation](#), also known as statutory law, is law written by legislative bodies. The [process](#) includes introducing a bill to legislative bodies containing the legislation, evaluating, amending, and voting on the proposed law. For example, a state representative will introduce a state bill concerning animal fur products to the State Senate and to the State House of Representatives chambers. A committee, such as the Senate Consumer Protection Committee, will research the bill. Afterwards, it can be referred to another committee or added onto the calendar to be debated and voted on. The bill must be identical when being reviewed in both chambers and both chambers must approve the bill prior to sending the final legislation to the governor to sign it. This process can take months or sometimes years.

Police Powers

The [right](#) of governments to create necessary laws and regulations for the benefit of their communities. Despite the use of the word "police" in this phrase, the legal concept of "police power" does not deal specifically with policing or police forces. It refers to the authority of local

governments to make laws and regulations to benefit their own communities. The [Tenth Amendment](#) gives states the authority to create laws and regulations. Additionally, each individual state constitution lists what powers a local government can exercise. States can [delegate](#) powers to counties, cities, boroughs, towns, and villages within the state. Common powers include all necessary laws and regulations concerning public health, safety, and welfare of the community. It can also enact laws in areas concerning zoning, land use, building codes, motor vehicles, crime, liquor, licensing of professionals, and discrimination.

Preemption

[Preemption](#) is when a higher level of government takes away or does not allow lower levels of government to create laws on particular subject matter. It also prevents a lower government from passing laws that differ or are stricter than state law. For example, a state preempts local governments from creating laws about marijuana decriminalization. The state can only make laws regarding this issue and it does not give local governments the authority to interfere with the state's police power. Furthermore, case law can clarify the extent of state preemption of local law.

Resolution

A resolution is an official but non-binding expression of a legislative body's will or preference, expressed toward higher levels of government and agencies ([Legal Information Institute](#), 2022). Resolutions are helpful because they represent the voice of residents who are concerned about a particular issue. The local government can file a resolution pressuring higher levels of government or agencies to take action if the local government is unable to pass ordinances regarding the issue. Even when local governments have the ability to pass local ordinances, the community may feel compelled to try to convince the state legislature to pass a state law too.

Method

This project focused on the relationship between local laws and state legislation in the U.S. The primary goal was to determine whether or not local laws have influenced the creation of state legislation. We approached this goal via a review of state legislation, case law, and ordinances in select municipalities, supplementing it with a few conversations with advocates working in these areas for additional context.

Laws prohibiting abuse of non-farmed animals are by far the most common, with various examples existing in all U.S. states. Given the commonality of these laws, we chose to focus our investigation more heavily on topics that are directly relevant to farmed animals (e.g., foie gras, fur) or may provide a parallel to the abuses that farmed animals suffer (e.g., puppy mills, declawing). However, it is important to note that a parallel in animals' experience does not

necessarily imply a legal parallel: There are many differences in the protections afforded to different species. However, many state animal cruelty laws could serve as useful examples in their own right, for action in other states or with other species. We recommend that advocates consult our [spreadsheet of state laws](#) for statutes covering other types of animal cruelty, such as prohibitions against the use of bullhooks on elephants ([RI Gen L § 4-1-43](#), 2020), confinement of animals in hot cars ([Mass Gen L ch. 140, § 174F](#), 2021), and dogfighting ([Ohio Rev Code § 959.16](#), 2017).

Review Of State Legislation

First, we reviewed codified state legislation and compiled a spreadsheet of laws pertaining to various animal welfare topics. These were identified from data available from multiple databases including: The National Agricultural Law Center, The USDA National Agricultural Library, and the Animal Legal Defense Fund. We also cross-checked against the Animal Legal and Historical Center database and the Collier Animal Law Forum database, but found the results redundant with other sources.

The spreadsheet of state laws pertaining to animal welfare that emerged from this search is [available for download on the Open Science Framework](#).

Legal Database Review For Legislative History

The next stage involved research on state legislative history to determine whether there were any local law influences on enacted state laws. We used keywords to search the legislative history of state laws, which included oral and written public testimony, legislative committee reports, and meeting transcripts.

The process of gathering this information comprised a keyword search in two legal databases. Specifically, we searched through the *Legislative History* in the Westlaw and Lexis+ legal databases, using a list of 48 welfare-related terms sourced from early searches on animal welfare-related legislation, a review of tags used for topic coverage in Faunalytics' library, and discussions with animal advocates. These included high-level terms like “animal agriculture” and “animal welfare” as well as a select list of more specific keywords. Because our greatest interest was in animals used for food, most of the specific keywords focused on issues relevant to them (e.g., “foie gras,” “battery cage,” “live lobster”), with a few devoted to similar issues for other categories of animals (e.g., “puppy mill,” “down production”). For a full list of keywords, see the Supplementary Materials.

We then refined the results to identify any mentions of local influence using the terms local OR municipal OR ordinance OR city.



State Website Review For Legislative History

We repeated the previous step on state legislative websites using the same set of keywords. The results included current and prior legislative bills, regardless of the bill being live or dead.

Web Review For Legislative History

If there were no mentions of local laws in the legislative history for a given bill, we additionally searched the bill number on Google and inspected the first three pages of results for any publicly-released documents and news articles.

Review Of Case Law

Next, we looked for any existing animal case law influenced by local laws.

Legal Database Review

The process of gathering this information included a keyword search in the Case research tab of Lexis+, using the same set of keywords as for previous steps. We refined the results in the same way as above to identify any mentions of local law influence in the summary of the case.

Using this process we were able to identify:

- one or more local animal law(s) at issue
- the outcome of the case
- jurisdictions the outcome does and/or will affect
- secondary materials

When reviewing a case, we also included secondary materials that cited the case. We limited the scope of secondary materials to law reviews and treatises because the court filings were redundant with other cases we examined throughout the search.

Analysis & Interpretation

At this point, we reviewed all results obtained in previous stages for evidence of a relationship between local laws and state legislation. While there is a subjective component to this review, we set out several criteria in advance, as described below.

We considered each of the following instances as an indicator of local laws potentially having an influence on state legislation:



- A mention of local laws in the legislative history of a state law that was passed (discovered via any of Lexis+, Westlaw, state websites, or Google search); or
- A mention of local laws in case law at any level (e.g., district court, federal circuit) where the animal stakeholders won.

We considered each of the following instances as an indicator of local laws potentially *not* having an influence on state legislation:

- A mention of local laws in the legislative history of a state law that did *not* pass; or
- Existence of state preemption of local law; or
- A mention of local laws in case law at any level (e.g., district court, federal circuit) where the animal stakeholders lost.

During the review process, we realized that bills that have not yet passed but are still undergoing review should not be interpreted as evidence against the impact of local laws, so we discuss them separately throughout the results.

Results

Throughout the results section, we have bolded state names to help advocates working in particular jurisdictions find information more quickly. This is done on first use with respect to a particular law, case, or initiative.

Farmed Animals and Agriculture

Farmed animals are one of the most unregulated groups of animals, with states often preempting municipalities from creating laws around animal husbandry and care standards. For example, [Alabama](#), [Georgia](#), [Oklahoma](#), and [South Carolina](#) have specific statutes preempting local governments from creating law dealing with animal husbandry standards. This also explains why we found that there were no mentions of local laws in the state legislative process for animal husbandry laws.

Further, even federal law may preempt states from creating legislation addressing farmed animal husbandry practices, which leaves farmed animals vulnerable to abuse. For example, the U.S. Supreme Court overruled **California's** [ban](#) on selling or slaughtering downer cows—cows who cannot stand on their own ([Nat'l Meat Ass'n v. Harris](#), 2012). The court stated California's law was preempted by federal law. Thus, California and other states are unable to legislate on issues involving downer animals.

Relatedly, all fifty states have [Right to Farm statutes](#), which means a private or public nuisance lawsuit cannot be brought against a farm or farm operation as long as the farm meets certain basic requirements. The Right to Farm statutes also affect farmed animals, and can preempt local regulation ([Nichols](#), 2018). This can make it difficult for local governments to improve animal welfare standards if farm standards meet “generally acceptable” agriculture and management practices. An interview with a Senior Policy Advisor working for an international nonprofit animal protection organization indicated that there is not much local influence on state law in this area due to the varying natures of legislative government (Personal communication, August 5, 2022). This individual believes that if there are opportunities to pass laws in enough municipalities, it can eventually influence the state legislature. However, such opportunities are rare at the local level for farmed animals and husbandry practices.

Battery Cages, Gestation Crates, and Veal Crates

Battery cages are common housing for egg-laying hens. Usually, these hens spend most of their lives living in a tightly confined wire cage. Often there are multiple hens in one cage and they are unable to move around or spread their wings freely ([THL](#), 2020).

Similar to battery cages, gestation crates are common for housing female pigs or cows. Once female pigs give birth to piglets, she and the piglets are moved to a farrowing crate for nursing (THL, 2021). These crates are small and often give no room for animals to turn around. Similarly, veal crates are small enclosures used to confine calves before they are slaughtered for veal. They are commonly associated with indicators of mental distress like biting objects and structures, tongue rolling, and excessive resting (Sentient Media, 2021; Tosi et al., 2006).

Evidence Of Local Resolutions Being Influential

As noted previously, preemption of local law makes it impossible in many states for localities to create ordinances around animal husbandry. However, local resolutions can still bring awareness to farmed animal topics in this situation.

As of August 2022, there are eleven states that enacted laws banning or phasing out the use of cages for egg-laying hens: [Arizona](#), [California](#), [Colorado](#), [Massachusetts](#), [Michigan](#), [Nevada](#), [Ohio](#), [Oregon](#), [Rhode Island](#), [Utah](#), and [Washington](#). There are no laws enacted at the local level due to preemption. Yet, local governments appear to have helped these bans pass, in that they created resolutions to pressure state governments to pass laws surrounding battery cages and animal welfare. For instance, in California, the city of San Francisco submitted a resolution—which also pointed out other city resolutions in [Berkeley](#) and [West Hollywood](#)—asking California to phase out the use of battery cages ([San Francisco Commission of Animal Control and Welfare](#), 2007).

Ten states ban or restrict the use of gestation crates: [Arizona](#), [California](#), [Colorado](#), [Florida](#), [Maine](#), [Massachusetts](#), [Michigan](#), [Ohio](#), [Oregon](#), and [Rhode Island](#). Nine states ban or restrict the use of veal crates: [Arizona](#), [California](#), [Colorado](#), [Kentucky](#), [Maine](#), [Massachusetts](#), [Michigan](#), [Ohio](#), and [Rhode Island](#). The resolution that [Berkeley](#) and [West Hollywood](#) created discussed banning gestation and veal crates, which may have been influential in California's law, though we didn't find any mention of them.

Similarly, the city of Brookline, Massachusetts also passed a [resolution](#) against veal crates ([White](#), 2010). This was a step toward banning veal crates since it showed changing social attitudes about how animals are raised for food production. Mentions of similar bans in seven other states and pending legislation contributed to the resolution's approval. While the resolution was not mentioned in Massachusetts' ballot initiative banning caged eggs, gestation, and veal crates, it may have been influential, as the Brookline-based organization Citizens for Farm Animal Protection took part in writing the [proposed](#) ballot measure. This process began when a coalition of individuals and organizations pushed to pass a statewide ballot measure requiring 64,750 signatures, but gathered more than 130,000 signatures ([Chang](#), 2022). Since businesses and community members in the city of Brookline were likely aware and participating according to the existing resolution, it may have contributed to acquiring support for the ballot initiative.

Overall, there is limited evidence that local resolutions had an influence on these particular bans. The statewide bans may have been influenced more by the passing of [Proposition 12](#) in California and advocates' lobbying efforts to get corporations to sign onto cage-free and crate-free commitments (i.e., [Whole Foods](#), [Ben & Jerry's](#), and [Chipotle](#)).

Evidence of Municipalities Being Non-Influential

While resolutions are one of the ways local governments can show their support for specific animal issues, states don't always take action based on city resolutions. Cities that have sent a resolution about banning battery cages to their respective state legislatures but were unsuccessful in influencing state law include several in **Florida** ([Hollywood](#), [New Port Richey](#), [West Palm Beach](#), [Winter Springs](#)); [Takoma Park](#), **Maryland**; and [Austin](#), **Texas**.

As for gestation and veal crates, local areas like [Arlington County](#), **Virginia**; and [Atlantic City](#), **New Jersey**, have passed resolutions but were unsuccessful in influencing their state legislatures to pass laws at the state level.

Summary

There is no local ordinance in the U.S. explicitly banning battery cages, gestation crates, and veal crates as there is no opportunity for local governments to create ordinances over farmed animal issues. State preemption of local law prevents local governments from exercising this power. There were only a few instances where local resolutions may have influenced state legislation, and evidence for this is limited. Statewide bans may have passed due to a combination of factors. Massachusetts passed a statewide ban in response to a ballot initiative started by local organizations and citizens submitting a petition, but these efforts were coupled with advocates presenting [evidence](#) of corporations and businesses changing their standards for receiving products from farmed animals.

Local resolutions, even coupled with other influences, are not always enough to yield the same outcome as Massachusetts. For instance, Arlington County's resolution [cited](#) 18 corporations and companies ending the use of gestation crates, yet Virginia failed to pass a statewide ban.

Foie Gras

Foie gras is a speciality food product that uses a funnel, known as a gavage, to force-feed ducks or geese to produce a fatty liver ("[Foie Gras](#)," n.d.). This process causes the liver to enlarge to approximately ten times its normal size ([Cheever](#), n.d.).

Proponents of banning foie gras argue that it is unnatural for a duck or goose to gorge their liver up to ten times its size and that this practice can cause the liver to rupture, resulting in pain and suffering for the animal.

Opponents of banning foie gras argue that the state should not dictate what a person chooses to eat: that the easy solution is for an individual not to order foie gras if they disagree with its production. Opponents also debate whether force-feeding is cruel, claiming that it is a natural process that ducks and geese already undertake and is non-injurious.

Evidence of Municipalities Being Influential

California was the first state to ban the production and sale of foie gras ([S.B. 1520](#), 2004). Although the ban became effective in 2012, the city of West Hollywood showed their continual support of the bill by submitting a resolution in 2009 ([MacVean](#), 2009). The bill's initial intent was to ban the practice of gavage rather than foie gras, and for producers to find an alternative to force-feeding ([Burton](#), 2012). The bill was considered because in-store foie gras sales had already decreased and [chain grocery stores](#) were improving their food standards, which excluded sales of animal products produced cruelly ([S.B. 1520](#), 2004). Thus, the impact of local grocers and changing attitudes partially influenced the bill's passage.

California's statewide ban has been challenged in court a [few times](#). While the ban remains in effect, the Ninth U.S. Circuit Court of Appeals ruled that residents could import foie gras because the ban only affected in-state production and sales ([Ass'n des Éleveurs de Canards et d'Oies du Québec v. Bonta](#), 2022). Even though California's ban was successful, it only protects animals to a certain extent. It does not stop people from eating foie gras in California, but it does make it harder for people to access it. Other than California, no state has succeeded in passing a statewide ban.

Evidence of Municipalities Being Non-Influential

In 2006, Chicago, **Illinois**, was the first city to ban foie gras. Chicago faced challenges in upholding the [ban](#). A lawsuit was brought against the city of Chicago by the plaintiffs, Illinois Restaurant Association, for exceeding their police powers ([Ill. Rest. Ass'n v. City of Chicago](#), 2007). The plaintiffs asserted that the ban affected stakeholders outside of Chicago's jurisdiction: for example, that the ban would eliminate the demand for foie gras producers to sell to Chicago restaurants, which would affect the profits of out-of-state foie gras producers. The court disagreed with the plaintiffs and upheld the ban because it addressed a local problem and it would "advance the morals of the community" ([Ill. Rest. Ass'n v. City of Chicago](#), 2007, p. 896). Despite the success, constant pressure from restaurants eventually led to the city ordinance being overturned ([Chicago Tribune](#), 2016).

In 2019, New York City, **New York** banned the sale of force-fed products, effective in 2022 ([Int. 17-1902](#), 2019). New York City has been pressuring New York State to ban foie gras by submitting resolutions for more than a decade ([Res. 1456](#), 2008; [Res. 894](#), 2011), citing the bans enacted in California and Chicago ([Res. 1456](#), 2008). However, New York State has yet to introduce a foie gras bill.

Summary

California is the only state to explicitly ban foie gras sales at the state level, with bans failing to gain much traction in other states or municipalities so far. In addition, California's ban has been challenged multiple times. Even at the municipal level, similar laws have been brought to court (i.e., litigation about the city of Chicago's foie gras ordinance). The constant pressure against California's law and Chicago's ordinance may be a reason why other municipalities and states have not taken further action. While submission of resolutions can pressure state legislators to take action, it is discretionary and offers no binding effect.

This evidence suggests that advocates looking to pass foie gras bans should seek alternative methods of influence. The biggest barrier and one of the most impacted stakeholders are restaurants and business owners. Initially, restaurants and businesses pressured Chicago to overturn the foie gras ordinance and were successful. Working with these stakeholders to change their menu or consider alternative foie gras options, such as faux gras, may be more effective than lobbying at the state or local level. At the same time, it would be useful to build relationships with legislators to determine how to pass foie gras bans at the state level or alleviate concerns legislators may have in supporting a bill like this. It may also be helpful to evaluate whether speciality products like foie gras will be impacted by plant-based procurement legislation and goals. If cities are already adopting plant-based procurement legislation and establishing goals to reduce meat, this may eventually lead to the elimination of the foie gras industry.

Fur

Some U.S. municipalities are now stepping away from fur sales and production due to concern about animal cruelty in collecting and obtaining fur. For instance, advocates describe many killing methods as inhumane, such as the use of gas, poison, suffocation, neck breaking, and electrocution ([HSUS](#), n.d.). Animals raised for such production are also confined in small cages and have a low quality of life. Increasing awareness of these issues seems to be mobilizing communities to say no to fur.

Evidence of Municipalities Being Influential

In 2019, **California** became the first state to issue a statewide ban on the sale of fur ([A.B. 44](#), 2019). Ordinances in cities including [West Hollywood](#), [San Francisco](#), and [Los Angeles](#) had created momentum for California to create a ban on fur sales ([Castillo](#), 2019). These cities also explicitly wanted to support one another's bans: When West Hollywood banned fur sales, consumers easily traveled to Los Angeles to buy fur, so Los Angeles enacted their ban to show support of West Hollywood and to hopefully inspire other cities to do the same ([California News Wire Services](#), 2018). California's initiative to pass a ban at the state level was influenced by these local initiatives.

Evidence of Municipalities Being Non-Influential

Hawaii has failed to pass a fur ban after a few attempts ([S.B. 1350](#), 2019; [S.B. 962](#), 2021), despite testimony referencing similar sale or import bans enacted in California cities ([Vinding](#), 2021). However, only one person out of sixty-one pointed out there were local bans on fur and did not specify which localities; others cited the state of California's ban.

Rhode Island has yet to pass a fur ban despite various efforts, including a [petition](#) to the state of Rhode Island. The petition demands Rhode Island to follow the footsteps of Los Angeles in banning fur sales ([Hoyt](#), 2018). Additionally, [S. 2646](#) was introduced, but it failed to pass.

Connecticut also unsuccessfully attempted to pass a fur ban ([H.B. 5031](#), 2021). As part of the legislative process, the state legislature hired a legislative analyst to [research](#) whether or not Connecticut municipalities have the power to ban fur sales. The resulting report concluded that there are no express powers authorizing municipalities to ban fur sales nor had any municipality attempted to pass that type of ordinance ([Schaeffer-Helmecki](#), 2019). This may indicate why Connecticut legislators did not support the fur ban: with no fur ban existing at any government level in Connecticut, concerns about banning fur may not feel like a pressing public concern, and although it seemed that Connecticut municipalities may have the power to ban fur sales, none have made any effort to do so.

Oregon introduced two measures to prevent fur sales, but neither has passed yet ([H.B. 2676](#), 2021; [S.B. 832](#), 2021). H.B. 2676 bans the sale of any fur products, while S.B. 832 specifically aims to prohibit mink farming and breeding. A testifier mentioned Los Angeles, San Francisco, and West Hollywood in his testimony for S.B. 832 and discussed how fur bans will increase support to shut down fur farms ([Magnuson](#), 2021). Both bills are in committee review as of this writing.

Fur ban bills in **Massachusetts** have also failed to pass the state legislature ([H. 965](#), 2021; [S. 623](#), 2021). In their testimony, the non-profit organization [Fur-Free MA](#) mentioned there are cities outside California that have implemented similar fur bans, such as [Wellesley](#), [Weston](#), [Brookline](#), and [Plymouth](#). The lobbying organization Fur-Free MA has been [posting](#) information and encouraging people to contact Massachusetts legislators to increase support of the bill. There was no evidence to show if people contacted any legislators to support the bill. The Massachusetts state director for HSUS built rapport with the bill sponsors and mentioned cities like Wellesley and Los Angeles abandoning fur sales ([HSUS](#), 2021). However, it was not enough to pass the bill.

In **New York**, S. 5439 seeks to ban fur products, but has so far been unsuccessful ([S. 5439](#), 2021), as the bill has been stuck in the reviewing committee. The bill's justification states that it gains influence from cities enacting their own bans on fur products, such as Los Angeles and San Francisco. While other cities were able to pass ordinances, New York City had a difficult time enacting a similar ordinance due to backlash from various groups ([Jta](#), 2019).

Opportunities For Future Municipal Influence

States such as **Florida**, **Michigan**, and **Colorado** have opportunities for influence from local laws. The city of Hallandale was the first city to ban fur in Florida ([Ord. 2021-24](#), 2021), a state with among the highest fur sales in the U.S. ("[Hallandale Beach Bans Fur Sales](#)," 2021). Meanwhile, Michigan is known as a fur-producing state ([Dodhiya](#), 2021), but [Ann Arbor](#) is the first city in Michigan to ban fur sales, which may show that Midwestern attitudes toward fur are beginning to shift. This ordinance could be used as a symbol to show other Midwest municipalities and states that the sale of fur is becoming outdated.

Boulder, Colorado offers a unique example of local action bringing change—though only at the local level so far. A petition seeking to ban the sale and production of fur in the city of Boulder was brought before the Boulder City Council and had sufficient signatures that voters were presented with a ballot measure about whether fur sales and manufacture should be banned ([Ballot Measure 301](#), 2021). After receiving a positive response to the fur ban proposition, the city council enacted an [ordinance](#) honoring the petitioners' request. As further opportunities for action, the Colorado legislature could also be asked to look into a potential fur ban, using the Boulder ordinance as evidence of their communities' preferences.

Summary

To date, California is the only state to ban fur sales at the state level. The ban was inspired by efforts made at the local level, where multiple California cities had banned fur sales in their jurisdictions.

At least six states have so far failed to pass statewide bans on fur sales. While it is impossible to determine the extent of the potential impact, failure of testifiers to mention local ordinances in some instances and a lack of such ordinances in others may have played a role. If legislators perceive a lack of action at the local level, it may imply that the issue isn't pressing enough to consider.

To eliminate this source of doubt for state legislators, advocates should take action at the local level. Presenting a community's standpoint on banning fur sales through an ordinance or resolution may be influential in passing a state bill. Additionally, there are currently several opportunities for state level action in states where local municipalities have passed ordinances banning fur sales: namely, in Florida, Michigan, and Colorado.

Plant-Based Procurement & Meat Reduction

While there is no blanket ban on meat anywhere in the U.S., there is an increasing effort to encourage the public to reduce meat consumption and switch to plant-based alternatives.

Evidence of Municipalities Being Influential

Illinois was the first state to adopt the [Good Food Purchasing Program](#) (GFPP) and create a state-level task force to study how it could be implemented ([House Joint Resolution](#), 2021). The GFPP was first developed by the Los Angeles Food Policy Council and then adopted by the city of [Chicago](#) and [Cook County](#), among other jurisdictions ([AWI](#), 2021).

Illinois then passed a bill requiring all Illinois public schools to offer a plant-based option to students ([H.B. 4089](#), 2022), though this success was limited in that the child would have to petition the district to choose the plant-based option. Senator Jason Barickman (R) noted that schools already have the power to offer plant-based meal alternatives, so enacting this bill simply reaffirms that power ([Hancock](#), 2022).

Evidence of Municipalities Being Non-Influential

Connecticut introduced but failed to pass a bill to include climate-friendly food procurement language ([H.B. 5030](#), 2021; [S.B. 884](#), 2021). The bill sought to reduce the impact of food procured by the state on greenhouse gas emissions, specifically by decreasing the total amount of animal-based products purchased. Proponents submitted testimony urging legislators to support the bill and mentioned other municipalities taking actions such as shifting toward plant-based purchases ([Santa Monica](#), California) or establishing a food emissions reduction target ([Denver](#), Colorado and [Carrboro](#), North Carolina; [Molidor](#), 2021). However, the bill was unsuccessful.

Opportunities For Future Municipal Influence

Several cities and counties that are seeking to reduce their meat consumption have filed resolutions to meet their goals.

In 2010, **Washington D.C.** passed a [resolution](#) for the district to have Meat Free Monday. A decade later, Washington D.C. created the [Green Food Purchasing Amendment Act](#) (2021) to reduce the district's carbon footprint associated with food. Mercy for Animals, a non-profit organization, helped pass this law ([Bugga](#), 2021). The law requires Washington D.C. to purchase foods with lower greenhouse gas emissions, which means the district may reduce their meat and dairy purchases. While the law does not explicitly state it will shift from animal-based products to plant-based products, it seeks to mitigate high levels of greenhouse gas associated with food, which are more typically associated with animal-based products.

In 2012, Los Angeles, **California** passed a Meatless Monday [resolution](#). It discussed other similar local initiatives such as: school districts adopting a meatless policy; the city of [San Francisco](#) designating Monday as "Veg Day;" other cities passing resolutions ([Takoma Park](#), Maryland; Annapolis, Maryland; and [Marin County](#), California); and several colleges

implementing meatless policies. Los Angeles also partnered with the Good Food Purchasing Program.

Los Angeles, California is working to increase access to vegan options as well. There was a motion to offer more vegan and plant-based options to meet needs in both public and private places ([Motion](#), 2018). The motion discussed efforts already employed in Los Angeles, and the existence of the GFPP in the Oakland Unified School District. As one of California's most populous cities, Los Angeles' commitment is important and may produce a large impact.

The city of Berkeley, California has also accelerated their city's transition to plant-based foods ([Joe](#), 2021). They established a goal to replace fifty percent of the city's animal-based procurement with plant-based food by 2024. These California cities may provide a useful example for other municipalities and states to adopt or cite as evidence of a shift in the public's needs and desires.

New York City, **New York** has been filing resolutions to increase plant-based food options in response to a few movements pushing for more plant-based alternatives and reduction of meat consumption. Notably, in 2018, the local council filed a [resolution](#) to recognize Meatless Mondays in New York City. In 2019, the New York City council filed a [resolution](#) asking the New York State legislature to pass and sign a law offering plant-based food options to incarcerated people. A few months later, a [city ordinance](#) established a Green Monday Program where certain city agencies serve meatless meals each Monday. The ordinance also allowed any food establishment in the city to voluntarily obtain a Green Monday certificate, which showed their commitment to serving plant-based foods each Monday.

The Good Food Purchasing Program mentioned above has also been adopted by other cities in **California** ([Alameda County](#), [San Diego](#), and [San Francisco](#)), as well as [Austin, Texas](#); [Boston, Massachusetts](#); and [Cincinnati, Ohio](#) ([Good Food Purchasing Program](#), n.d.). These local adoptions may provide opportunities for statewide action.

Cities in multiple states have also passed Meatless Monday resolutions: [South Miami, Florida](#); [Philadelphia, Pennsylvania](#); [Pittsburgh, Pennsylvania](#); [Indianapolis, Indiana](#); [Boone County, North Carolina](#); [Cleveland, Ohio](#); and [Berkeley, California](#).

Summary

While municipal ordinances to increase plant-based food procurement and meat reduction policies are currently lacking, resolutions are in place in numerous cities throughout the U.S. Localities have established goals to decrease meat consumption and lower their local carbon footprint. Localities have created non-binding efforts, such as resolutions, voluntary programs, and certifications, to encourage people and businesses to participate in decreasing greenhouse gas emissions, though the important question of how impactful these non-binding declarations and programs are is outside the scope of this report.

Advocates can use and introduce well-known programs, such as the Good Food Purchasing Program or Meatless Mondays, to other localities or at the state level, as demonstrated in these examples.

Puppy Mills and Pet Retail

Puppy and kitten mills (referred to collectively as “puppy mills” in this report) are high-volume breeding facilities that supply companion animals for commercial sale. They share several similarities with the intensive farming of animals for human consumption. Animals raised in these breeding facilities are often neglected, confined to small cages, and lack proper care. Due to poor care and breeding practices, it is common for these animals to suffer from hereditary conditions and psychological and behavioral issues ([ALDE](#), 2022).

Puppy mills are subject to local zoning ordinances, which issue care and handling standards at the local level ([Greuner v. Lane County](#), 1991; [Lawrence v. Zoning Hearing Bd](#), 1975).

Evidence of Municipalities Being Influential

Banning the retail sale of animals from puppy mills began in 2006, with the city of [Albuquerque, New Mexico](#). Following after, five states employed a statewide ban and over [400](#) municipalities passed similar laws ([Block](#), 2021).

California was the first state to ban sales from puppy mills, with a pet retail ban that includes cats, dogs, and rabbits ([A.B. 485](#), 2017). Proponents of the bill mentioned [Los Angeles’ ordinance](#) banning the sale of these animals as a framework for shaping the state’s law ([Siggins](#), 2017). California is unique in protecting rabbits with its legislation, mirroring the Los Angeles ordinance and demonstrating its influence. At the time the bill was being considered, a [fact sheet](#) noted that there were thirty-three cities and counties in California that had implemented bans at the local level. Just six of those bans included rabbits—[Del Mar](#), [Long Beach](#), [Los Angeles](#), [San Diego](#), [Solana Beach](#), and [South Pasadena](#)—yet the state bill preempted the other local ordinances so that rabbits are protected as well as cats and dogs throughout California. This shows how state law can bring greater protections over certain animals than at the local level.

Maryland became the second state to ban pet retail sales, specifically of cats and dogs ([H.B. 1662](#), 2018). In 2021, the bill was amended to include cat and dog resale brokers in the definition of *retail pet store* ([S.B. 103](#), 2021). Advocates can look at definitions created by other municipalities to pattern for their own state or city.

Maine enacted their pet retail ban in 2019, preventing the sale of cats and dogs from puppy mills ([L.D. 1311](#), 2019). Thirteen of [ninety-nine testifiers](#) cited local laws enacted in other municipalities ([Andresen](#), 2019; [Angelone](#), 2019; [Bisol](#), 2019; [Chipman](#), 2019; [Fisk](#), 2019;

[Fracassi](#), 2019; [Hansberry](#), 2019; [Hodges](#), 2019; [Oreck](#), 2019; [Murphy](#), 2019; [Richer](#), 2019; [Seeley](#), 2019; [Winters](#), 2019). Four of the testifiers specifically stated there were a few hundred municipalities with similar laws and two of them—[Bar Harbor](#) and [Portland](#)—were in Maine ([Hodges](#), 2019; [Oreck](#), 2019; [Richer](#), 2019; [Winters](#), 2019). One testifier mentioned how some bans at the local level were ineffective and did not solve the issue with puppy mills ([Arthur](#), 2019). While Maine made great progress in becoming the third state to ban puppy mill sales, the state bill grandfathered three existing pet stores.

Washington's pet retail ban was enacted in 2021, preventing cats and dogs from being sold in a pet retail store ([H.B. 1424](#), 2021). As part of the legislative process, a non-partisan legislative staff member wrote a report of summarized testimony, which showed proponents of the bill testified about at least three Washington cities—[Gig Harbor](#), [Lacey](#), and [Olympia](#)—that banned the sale of cats and dogs ([House Bill Report](#), 2021). The bill's background also included mentions of local communities regulating animals in this manner, but it did not point out any specific municipalities ([House Bill Analysis](#), 2021). However, this also shows that pet retail bans are widely adopted in other communities. This can often pressure other municipalities and states to create similar laws. The bill grandfathered four existing stores in Washington.

Illinois is the most recent state to enact a pet retail ban for cat and dog sales ([H.B. 1711](#), 2021). At first, the Illinois state legislature attempted to introduce a puppy mill ban in 2014 during the 98th General Assembly Legislature, but the bill died during the legislative session ([H.B. 4056](#), 2014). The bill was supported by prior local efforts in [Chicago](#) and [Cook County](#) ([Edwards](#), 2014). The bill was also supported by community members, such as a teenage activist who raised awareness about puppy mills in her own community. When the city of Chicago created an ordinance prohibiting pet retail sales, the teen created a [petition](#) asking the state of Illinois to ban puppy mill sales ([Raining Cats and Dogs](#), 2014). Even though community members and legislators relied on local ordinances to set the example, the bill failed to pass.

Even so, Illinois successfully passed a pet retail ban on cats and dogs in 2021 ([H.B. 1711](#), 2021). The Illinois bill was partially influenced by the city of Aurora's local [ordinance](#) banning such sales. State Senator Linda Holmes is local to Aurora and she was a main co-sponsor of H.B. 1711 ([Lord](#), 2021). Senator Holmes may have been influenced by her city's efforts in implementing the ordinance ([Rosca](#), 2021). Unfortunately though, the Illinois bill's protections are less extensive than those that Chicago and Cook County offer: while [Chicago](#) and [Cook County](#) protect dogs, cats, and rabbits within their local ordinances, the Illinois [state ban](#) only includes dogs and cats. It is unclear why Illinois did not include rabbits in the state bill, but it indicates that they did not fully adopt and incorporate the language in Chicago and Cook County's ordinances.

Currently, there is a bill in committee review that may amend the current pet retail ban and alter the standards of accepting cats and dogs from a shelter, animal facility, or breeder ([H.B. 4643](#),

2021). If this happens, it may be possible for puppy mills to find a loophole, which would defeat the purpose of H.B. 1711.

In many of these states, various animal advocacy organizations submitted testimony to demonstrate that people are passionate about ensuring these bills are passed. Furthermore, working with legislators to pass a bill fosters communication and an important relationship. As shown in Illinois, a senator was inspired by her town's efforts and she became a co-sponsor of the state bill. Advocates should build rapport with state legislators to gain a better understanding of what animal topics they would be willing to support and the best way to ensure the bill will pass.

Evidence of Municipalities Being Non-Influential

Failed Legislation

Several states have considered and abandoned passing their own statewide ban on puppy mills.

In **Connecticut**, [Amendment 6461](#) failed to pass ([H.B. 5027](#), 2013). The amendment provision would have banned puppy mill sales. Testifiers cited how other municipalities had implemented pet retail bans, such as Los Angeles ([Environment Committee Joint Favorable Report](#), 2013). However, this was not enough to influence the state legislature to include the amendment.

Oregon attempted to pass a puppy mill ban in 2018 ([H.B. 4045](#), 2018). From the written public testimonies available on Oregon's legislative website, none of the [forty-nine testifiers](#) mentioned similar local laws. However, a [petition](#) sent to the Oregon state legislature mentioned over forty municipalities that had enacted local ordinances to curb puppy mill sales. It also mentioned the example set by large cities like Los Angeles and Chicago. More than 10,000 Oregon residents signed the petition and some left comments about why they supported animals from shelters.

New Jersey's Governor issued a conditional veto of a puppy mill ban ([S.B. 3041](#), 2017). While many [New Jersey cities](#) enforced their own puppy mill bans, the ultimate decision was left to the governor, who conditionally vetoed it because he disagreed with the penalties it imposed. There were not enough votes to override the governor's veto; however, the governor stands in contrast with New Jersey's nine counties, a hundred municipalities, both state chambers, and New Jersey proponents ([O'Dea](#), 2017).

Preemption

Sometimes, upholding a positive local ordinance through case law can produce adverse legislative law, as occurred in **Arizona**. The city of Phoenix and the Humane Society of the United States (HSUS) successfully defended a local ordinance preventing puppy mill sales

([Puppies 'N Love v. City of Phoenix](#), 2015, p. 978-980). The ordinance stated that Phoenix pet stores and dealers could only sell animals obtained from shelters or non-profit rescues.

The plaintiffs, Puppies 'N Love, argued that the ordinance discriminated against out-of-state breeders and gave an economic advantage to local breeders. The court disagreed with the plaintiffs' argument and found that there was minimal discrimination against out-of-state breeders. Thus, this was a win for the city of Phoenix.

However, shortly after the court's decision, the plaintiffs filed an appeal before the Ninth Circuit Court of Appeals ([Puppies 'N Love v. City of Phoenix](#), 2017) and simultaneously lobbied for a state bill preempting local governments' ability to ban the sale of dogs and cats from breeders. Their lobby was successful, leading to [Senate Bill 1248](#), which allowed pet stores to sell dogs and cats obtained from commercial breeders if they met certain requirements. It also contained an express preemption provision.

As a result of this new legislation, the Ninth Circuit Court decided to remand (send back) the case to the lower Arizona Court for consideration. The court found that the new statute preempted Phoenix's ordinance ([Puppies 'N Love v. City of Phoenix](#), 2017, p. 819-823). Since the bill passed, it preempted the cities of Phoenix and [Tempe](#) from enforcing their local ordinance ([S.B. 1248](#), 2016). Additionally, Arizona's governor wrote a [letter](#) stating that the state bill was more beneficial and would increase animal welfare.

Similarly, two local ordinances in **Ohio** were preempted by [Senate Bill 331](#). [Toledo](#) and [Grove City](#) both enacted ordinances banning the sale of dogs from puppy mills. Petland, a local pet store in Grove City, disagreed with the ordinance and sought to overrule it by introducing SB 331. Opponents of the bill, such as [HSUS](#) and [ASPCA](#), testified against its passage and mentioned the progression of other states and municipalities banning puppy mill sales ([S.B. 331 Committee Hearing](#), 2017). However, the testimony of [Petland's Chief Executive Officer](#) cited Arizona's preemption law in support of the bill. Ultimately, the bill passed, which preempted Toledo and Grove City's ordinances.

Municipal Influence Not Yet Known

There are several state bills going through the bill process at the time of this writing.

In **New York**, a state bill is awaiting Governor Kathy Hochul's signature ([S. 1130](#), 2022). The New York State Bar Association's Animal Welfare Committee submitted a report inspired by many other jurisdictions enacting their own local ordinances ([Wlach](#), 2021). The Animal Welfare Committee noted that over 350 jurisdictions in other states ban puppy mill sales including major cities such as "[Albuquerque](#), [Atlanta](#), [Austin](#), [Boston](#), [Chicago](#), [El Paso](#), [Ft. Lauderdale](#), [Los Angeles](#), [Nashville](#), [Pittsburgh](#), [Philadelphia](#), [Providence](#), [Sacramento](#), [Salt Lake City](#), [San Diego](#), [San Francisco](#), and [St. Paul](#)" ([Wlach](#), 2021). New York was not able to cite any of its own municipalities because the New York State constitution does not allow municipalities to create



legislation on puppy mills. New York City recently issued a [resolution](#) to New York State to ask them to change that.

Massachusetts has a pair of [companion bills](#) that are also pending in the bill process ([H. 384](#), 2021; [S. 230](#), 2022)—that is, bills with the same language introduced in both legislative chambers. Proponents of the bills mentioned a variety of cities and municipalities that enacted pet retail bans and urged the state of Massachusetts to do the same. Some of these municipalities include: [Boston](#), [Cambridge](#), [Holliston](#), [Marshfield](#), [North Adams](#), [Pittsfield](#), [Plymouth](#), [Springfield](#), and [Stoneham](#) ([Higgins](#), 2021).

These state bills may turn out either way. As seen with New Jersey’s puppy mill ban, the [governor](#) has a strong influence on whether or not a bill is passed. Similarly, New York or Massachusetts’ governor could veto their state bill, which would prevent the bill from passing in its current legislative session. Even so, the state legislators can try again in the next legislative session. Currently, we do not have enough information to determine whether or not local influence helped since the process is not yet completed.

Summary

State bills banning puppy mills have seemingly had greater success in going from the local level to state level, likely because there are already more than 400 municipalities banning puppy mill sales, which demonstrates a strong interest to lawmakers. Additionally, multiple animal advocacy organizations made submissions to support state bills and local efforts.

In states where a state bill did not pass, there was not enough information to show definitively why those state bills failed. However, testimony submitted to the state legislature revealed that very few testifiers mentioned specific local ordinances. Even though puppy mill bans are widely adopted locally, legal challenges and creation of adverse legislation have led states like Arizona and Ohio to preempt local governments.

In situations when a bill fails, there is still the option of going through the process again in the next legislative session. Talking with legislators about why the bill failed would be helpful for advocates to revise and edit the bill for future consideration and approval.

Declawing

Animal cruelty laws are the most common type of animal laws and they have been some of the most effective at the local level, though they are limited in the species they apply to, largely excluding animals used in science and farmed animals. Anti-cruelty and animal welfare statutes have been established in every state across the U.S. Declawing laws are one example of anti-cruelty laws that have been implemented in many jurisdictions. For other anti-cruelty laws that exist at the state level, see our [spreadsheet](#) of state statutes.

Evidence of Municipalities Being Influential

In 2019, **New York** was the first state to ban declawing procedures, including onychectomy, phalangectomy, and tendonectomy ([S. 5532B](#), 2019). The bill's background included an excerpt where ten California cities banned this practice. The Animal Law Committee of the New York State Bar Association also supported this bill and used evidence from Los Angeles' ban to convince the New York Legislature to ban these practices ([Animal Law Committee](#), 2019). They cited many California cities and also the city of Denver.

There has been support for New York State to pass a statewide declawing ban as early as 2017. New York City's local government filed a [resolution](#) (see *Terms* section for definition) asking the state of New York to ban declawing procedures; it mentioned there were seven cities in California that had done so.

Maryland became the second state to ban declawing ([S.B. 67](#), 2022). Five of seventeen [testifiers](#) at a public hearing noted that declawing was banned in: eight California cities, [Los Angeles](#), [San Francisco](#), [Burbank](#), [Santa Monica](#), [Berkeley](#), [Beverly Hills](#), [West Hollywood](#), and [Culver City](#); [Denver](#), Colorado; [St. Louis](#), Missouri; [Austin](#), Texas; [Pittsburgh](#), Pennsylvania; and [Madison](#), Wisconsin ([Bays](#), 2022; [Conrad](#), 2022; [Joshi and Waters](#), 2022; [Robinson](#), 2022; [Radov](#), 2022). Cities considering declawing bans also received letters or testimony mentioning other similar local ordinances from proponents ([Barnette](#), 2021).

While there are many local influences that could influence the passage of New York and Maryland's declawing ban, there are many other factors that were weighed in this decision. Other influences such as scientific studies, morals, ethics, economic impact, and public interest are other factors to be weighed along with mentioning local ordinances. These types of considerations and arguments were included in public testimony, in addition to local ordinances. It took more than a decade from when the first declawing ordinance was enacted until a declawing ban was passed at the state level.

Evidence of Municipalities Being Non-Influential

Failed Legislation

Since 2003, **California** has failed multiple times to pass a declawing ban ([A.B. 395](#), 2003; [A.B. 2427](#), 2008; [S.B. 1441](#), 2018; [A.B. 1230](#), 2019), despite local bans in California appearing to have weight in other states, as described above.

Throughout these attempts, all California cities with similar laws were mentioned and one organization discussed the declawing ban in [Norfolk](#), Virginia ([Alley Cat Rescue](#), 2018). As of this writing, the California bill is going through another attempt ([A.B. 2606](#), 2022). Proponents

have sent letters and indicated there are thirteen major cities, which have a current ban ([Robinson](#), 2022). The bill is still pending in the state legislature.

Despite support from the public and nonprofit organizations, some states struggled to pass a statewide declawing ban even when local ordinances were cited. States such as [New Hampshire](#), [Massachusetts](#), [Pennsylvania](#), [Delaware](#), [Rhode Island](#), [West Virginia](#), [New Jersey](#), and [Hawaii](#) failed to pass statewide bans so far. Alley Cat Allies sent letters to all states considering a statewide declawing ban, noting that there are thirteen cities with similar ordinances ([Alley Cat Allies](#), 2022). In addition to this nonprofit support, a Delaware representative also cited state and local precedent as a reason to move forward with the state bill ([Bennett](#), 2022). The Hawaii legislature received testimony about other local jurisdictions prohibiting declawing from four of seventy-three people ([H.B. 466 Testimony](#), 2015).

Preemption

In **California**, the California Veterinary Medical Association (CVMA) brought a lawsuit against the city of West Hollywood stating that a West Hollywood ordinance banning the practice of animal declawing was invalid because it was preempted by Section 460 of the California Veterinary Medical Practice Act (VMPA) ([California Veterinary Medical Assn. v. City of West Hollywood](#), 2007).

On appeal, the Second District Court of Appeals found that West Hollywood's ordinance did not conflict with the VMPA nor did it contradict it. At issue, Section 460 of the VMPA prohibits local licensing requirements and qualifications. However, the court affirmed that local governments are permitted to exercise their police powers to ensure the quality and character of the licensees' work ([California Veterinary Medical Ass'n. v. City of West Hollywood](#), 2007, p. 555). The CVMA lawsuit shows how municipalities can take action at the local level when state law is inadequate to protect animals.

Although the outcome of the case was favorable for animal advocates against declawing, the CVMA lobbied for a California state bill to limit local government power over professions ([A.B. 2427](#), 2008; [S.B. 762](#), 2009). At the time, this bill prevented cities and counties from limiting the activities and services a licensed professional could perform, such as declawing and similar services. In 2008, the governor vetoed the limiting bill because he was prioritizing bills with the highest concern ([The Paw Project](#), 2009), but signed a similar bill the next year, S.B. 762. This is why there are few California cities with declawing bans. The Paw Project helped seven cities pass ordinances within seven weeks prior to S.B. 762 taking effect ([The Paw Project](#), 2010).

Summary

Testimony and mentions of local ordinances can offer support in passing a statewide declawing ban. While there were only two states that passed statewide declawing bans, there were multiple mentions of city ordinances in reports and testimony during the bill process for those



states. In other states, there was little evidence that local ordinances were mentioned. Even in cases where they were mentioned, the cities enacting ordinances were not named (e.g., the Delaware representative [stated](#), “In the [U.S.] the practice is illegal in New York, Maryland and 13 other cities”). It would be helpful for advocates to explicitly list which cities enacted these ordinances so legislators and stakeholders can review it and consider adopting the language to mirror for their own locality or state legislation. Additionally, preemption is a big obstacle in preventing local influence.

Conclusions

Successes & Challenges

Local laws can sometimes create meaningful change at the state level. Success is far from guaranteed, but this review found evidence of states taking into account local laws and resolutions during discussion of bills on animal topics such as: declawing, battery cages, gestation crates, veal crates, foie gras, puppy mills, and meat reduction. Some of those attempts failed, but they suggest that at the bare minimum, states will generally consider local examples, even outside of their own state.

This research encompassing all fifty U.S. states found evidence suggesting that when similar laws are widely adopted across multiple municipalities, it appears to increase the chances of passing related state laws. In the strongest example, over 400 municipalities passed their own ordinances banning puppy mill sales and the widespread support from many municipalities supported five states passing statewide bans on puppy mill sales within the past six years.

The biggest barrier to creating change from the ground up is state preemption of local laws. While existing preemptions—which are particularly common for laws around animal farming—pose a major hindrance to progress, the worst-case scenario is for opponents of animal protection fight back against legislation by bringing a state bill to preempt pro-animal local ordinances, as occurred in the case of [*Puppies 'N Love v. City of Phoenix*](#), 2017.

Some opponents may also bring lawsuits against the city enforcing the ordinance. While this is a concerning possible outcome to consider, we found that it is a relatively rare outcome to date, having occurred in only four examples we reviewed. Even in instances where there is a lot of support for animal protection actions like banning puppy mill sales—which accounted for two of the four examples—there may also be strong pushback from opponents of the bill.

An additional option for local governments is to file resolutions to advance the community's position on specific animal topics. Resolutions have no legal or binding effect on law, so additional research is needed into whether they cause a meaningful shift in citizen or corporate behavior in the locality itself, but regardless of that impact, they may bring awareness to state legislators about a particular issue. If a state legislature fails to act upon the resolution, local governments can reissue another one the following year.

Resolutions may be particularly helpful when multiple cities file resolutions addressing the same topic. It can show there is widespread support or concern about an issue, which may inspire legislators to focus on passing specific legislation at the state level—though again, more research is needed.

Opportunities

Throughout this review, we have also made note of city ordinances and local initiatives that may influence state law in the future. While state legislators may not look to these local efforts unless a person or organization is lobbying for similar legislation, they provide evidence of a city's position on a particular issue, and it can be used for future state legislation. Bringing existing ordinances to the attention of state representatives can be part of efforts to introduce legislation.

A Senior Policy Advisor representing an international nonprofit animal protection organization noted that the legislative environment between state and local governments varies widely, which can make it difficult to predict whether a bill will pass at the state level (Personal communication, August 5, 2022). Yet, advocates can gain insightful information if a bill fails to pass during the process by either talking to legislators or with members of the committee where the bill died. Legislators may even release reports or participate in interviews to discuss why the bill did not pass.

Overall, this review supports the idea that local laws and initiatives can influence state bills with positive animal impacts, which recommends it as a pathway for grassroots advocates to become involved in making systemic change. Lobbying local legislators and supporting initiatives creates momentum in communities that may be helpful to those working for state-level progress, as submitting this type of information informs state legislators that other jurisdictions have passed similar laws, which conveys an impression of support and gives them information to draw upon when considering whether it would be beneficial for their state to adopt it. Including mentions of local ordinances and/or local initiatives in addition to other evidence or arguments can strengthen the influence of passing a bill. Additionally, participating in the local legislative process and supporting other cities in passing these types of laws at the local level can advance animal interests when the state cannot or will not provide such protection.

It is important for advocates working at the state level to build relationships with local council members as well as state legislators in order to improve communication and transparency between these groups. Approaching legislators who are from cities that have passed similar ordinances to the proposed state bill may also be influential (e.g., an Illinois Senator supported and was a co-sponsor for a statewide puppy mill bill, which was similar to the ordinance passed in her town). Advocates may gain a greater understanding of the likelihood a state bill will pass and legislators can additionally offer advice to ensure advocates are successful in other jurisdictions.

Caveats & Limitations

As with all reports, this one has some important caveats and limitations to bear in mind.



This report reviewed state legislation limited to the past twenty years using a predetermined set of keywords and results that could be found on databases and state legislative websites. While we attempted to be comprehensive, it is possible we may have overlooked some important state bills or local influences that have or could have been relevant.

Additionally, the conclusions we draw from the available evidence in this report are limited by the data available. Documents on a bill's passing or failure often don't provide details about the influence of various factors in the review. We laid out a series of interpretive rules in advance, as described in the *Method* section, but these conclusions are not definitive evidence of causation.

Supplementary Materials

Keyword Search Details

Below is the full list of terms used in our search of the *Legislative History* in the Westlaw and Lexis+ legal databases. Quotation marks indicating exact phrases, while an asterisk (*) indicates that all possible completions are allowed (e.g., *farm** = *farm*, *farming*, *farmed*, etc.).

- animal OR
- "farm* animal*" OR "animal agriculture" OR "animal husbandry" OR aquaculture OR "pisciculture" OR "fish hatch*" OR "poultry hatch*" OR
- "animal welfare" OR "animal cruelty" OR
- "battery cage*" OR "gestation cage" OR "gestation crate*" OR "maternity pen*" OR
- "faux fur" OR "fur farm*" OR
- "foie gras" OR gavage OR "force* feed*" OR "force* fed" OR "duck liver" OR "goose liver" OR
- "down production" OR "down farm*" OR "goose down" OR "chicken down" OR "wool product*" OR "wool farm*" OR mulesing OR
- "boil* *live" OR "live boil*" OR
- "live lobster" OR "live squid" OR "live octopus" OR "live shrimp" OR "serv* live" OR "eat* live" OR
- "ag-gag" OR
- "puppy mill*" OR "kitten factor*" OR
- "meat reduc*" OR "reduc* meat" OR "plant-based" OR "plant based" OR "alternative protein" OR "meat alt*" OR "plant protein" OR "animal product alt*"

All Cited Resolutions, Cases, & Laws

All tables below are ordered by topic, then state, then status.

State Legislation & Statutes

Authority	State	Status	Notes
Battery Cages, Gestation Crates, and Veal Crates			
AL Code § 2-15-5	Alabama	Passed	
Department of Agriculture	Arizona	Amendment Passed	
Ariz. Rev. Stat. §13-2910.07	Arizona	Passed	
West's Ann. Cal. Health & Safety Code § 25990 - 25994	California	Passed	
H.B. 20-1343 , 2020	Colorado	Passed	
S.B. 08-201 , 2008	Colorado	Passed	
Fla. Const. art. X, §21	Florida	Passed	
O.C.G.A. § 2-1-6	Georgia	Passed	
K.Y. Rev. Stat. Ann. tit. 302 § 21:030	Kentucky	Passed	
M.E. Rev. Stat. Ann. tit. 7, §4020	Maine	Passed	
S.B. 2603 , 2021	Massachusetts	Passed	
S.B. 174 , 2019	Michigan	Passed	
Mich. Comp. Laws §287.746	Michigan	Passed	
A.B. 399 , 2021	Nevada	Passed	
OAC §901:12-9-03	Ohio	Passed	
OAC §901:12-8-01	Ohio	Passed	
Okla. Stat. tit. 2, § 2-2-4c	Oklahoma	Passed	
S.B. 1019 , 2019	Oregon	Passed	

ORS 600.105	Oregon	Passed	
H.B. 7456 , 2018	Rhode Island	Passed	
R.I. Gen. Laws. §4-1.1-3	Rhode Island	Passed	
S.C. Code. tit. 47, § 4-10	South Carolina	Passed	
S.B. 147 , 2021	Utah	Passed	
H.B. 2049 , 2019	Washington	Passed	
Foie Gras			
S.B. 1520 , 2004	California	Passed	
Fur			
A.B. 44 , 2019	California	Passed	
H.B. 5031 , 2021	Connecticut	Failed	Connecticut state law not influenced by California: Berkeley, Los Angeles, San Francisco, and West Hollywood.
S.B. 1350 , 2019	Hawaii	Failed	
S.B. 962 , 2021	Hawaii	Failed	
H. 965 , 2021 S. 623 , 2021	Massachusetts	Failed	Massachusetts state law not influenced by California nor Massachusetts local ordinances: Wellesley, Weston, Brookline, and Plymouth.
S. 5439 , 2021	New York	Failed	
H.B. 2676 , 2021	Oregon	Failed	

S.B. 832 , 2021	Oregon	Failed	Oregon state law not influenced by California: Los Angeles, San Francisco, and West Hollywood.
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S. 2646 , 2022	Rhode Island	Failed	Los Angeles ordinance unsuccessful for influencing Rhode Island state law.
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Plant-Based Procurement & Meat Reduction

H.B. 5030 , 2021 S.B. 884 , 2021	Connecticut	Failed	Connecticut state bill not influenced by local initiatives: Santa Monica, California; Denver, Colorado; Carrboro, North Carolina.
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H.B. 4089 , 2022	Illinois	Passed	Influence likely from local efforts in adopting GFPP.
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Puppy Mills and Pet Retail

S.B. 1248 , 2016	Arizona	Passed	State law preempts local governments from enforcing pet retail bans.
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A.B. 485 , 2017	California	Passed	
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H.B. 5027 , 2013	Connecticut	Failed	Connecticut state law not influenced by Los Angeles ordinance.
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H.B. 1711 , 2021	Illinois	Passed	Likely influenced by the city of Aurora's ordinance.
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H.B. 4056 , 2014	Illinois	Failed	Illinois state law not influenced by Chicago and Cook County ordinances.
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H.B. 4643 , 2021	Illinois	Pending	It may change standards for obtaining cats and dogs from breeders.
L.D. 1311 , 2019	Maine	Passed	
H.B. 1662 , 2018	Maryland	Passed	
S.B. 103 , 2021	Maryland	Passed	Passed to amend the definition of <i>retail pet store</i> .
H. 384 , 2021 S. 230 , 2022	Massachusetts	Pending	
S.B. 3041 , 2017	New Jersey	Failed	The New Jersey Governor issued a conditional veto, despite the bill passing in both chambers.
S. 1130 , 2022	New York	Pending	Awaiting the governor's signature. It cited major cities: Albuquerque , Atlanta , Austin , Boston , Chicago , El Paso , Ft. Lauderdale , Los Angeles , Nashville , Pittsburgh , Philadelphia , Providence , Sacramento , Salt Lake City , San Diego , San Francisco , and St. Paul .
S.B. 331 , 2017	Ohio	Passed	
H.B. 4045 , 2018	Oregon	Failed	No mentions of local laws during testimony. A petition was sent to the state legislature with examples of Los Angeles and Chicago, but it did not influence Oregon state law.

[H.B. 1424](#), 2021 Washington Passed

Declawing

[A.B. 395](#), 2003

California

Failed

[A.B. 2427](#), 2008

California

Failed

[S.B. 1441](#), 2018

California

Failed

[A.B. 1230](#), 2019

California

Failed

[H.B. 333](#), 2022

Delaware

Failed

[H.B. 466](#), 2015

Hawaii

Failed

[S.B. 67](#), 2022

Maryland

Passed

Likely influenced by ordinances from California cities, and other local ordinances.

[S. 222](#), 2021

Massachusetts

Failed

[H.B. 1226](#), 2022

New Hampshire

Failed

[S. 920](#), 2020

New Jersey

Failed

[S. 5532B](#), 2019

New York

Passed

Likely influenced by ordinances from California cities and Denver, Colorado.

[H.B. 1624](#), 2021

Pennsylvania

Failed

[S. 2445](#), 2022; [H. 7574](#), 2022

Rhode Island

Failed

[H.B. 2418](#), 2017

West Virginia

Failed

Local Ordinances

City	State	Notes
Foie Gras		
New York	New York	Has not yet influenced New York state law.
Fur		
Berkeley	California	Influential on California state law. Thus far, it has not been influential on other state law.
Los Angeles	California	Influential on California state law. Thus far, it has not been influential on other state law.
San Francisco	California	Influential on California state law. Thus far, it has not been influential on other state law.
West Hollywood	California	Influential on California state law. Thus far, it has not been influential on other state law.
Boulder	Colorado	Ordinance passed because of local Ballot Measure 301 .
Hallandale	Florida	
Brookline	Massachusetts	Failed to influence Massachusetts state law.
Plymouth	Massachusetts	Failed to influence Massachusetts state law.
Wellesley	Massachusetts	Failed to influence Massachusetts state law.

Weston	Massachusetts	Failed to influence Massachusetts state law.
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Ann Arbor	Michigan
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New York	New York
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Plant-Based Procurement & Meat Reduction

Washington	D.C.	Passed
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New York	New York	Passed
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Puppy Mills and Pet Retail

Phoenix	Arizona	Overtured
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Tempe	Arizona	Overtured
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Aurora	Illinois	Passed
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Chicago	Illinois	Passed
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Cook County	Illinois	Passed
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Bar Harbor	Maine	Passed
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Portland	Maine	Passed
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Boston	Massachusetts	Passed
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Cambridge	Massachusetts	Passed
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Holliston	Massachusetts	Passed
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Marshfield	Massachusetts	Passed
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North Adams	Massachusetts	Passed
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Pittsfield	Massachusetts	Passed
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Plymouth	Massachusetts	Passed
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Springfield	Massachusetts	Passed
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Stoneham	Massachusetts	Passed
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Grove City	Ohio	Overtured
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Toledo	Ohio	Overtuned
Gig Harbor	Washington	Passed
Lacey	Washington	Passed
Olympia	Washington	Passed
Additional Ordinances	The HSUS compiled a complete list of more than 400 municipalities passing local ordinances about puppy mills here .	

Declawing		
Berkeley	California	Likely to have influenced New York, and Maryland state law.
Beverly Hills	California	Likely to have influenced New York, and Maryland state law.
Burbank	California	Likely to have influenced New York, and Maryland state law.
Los Angeles	California	Likely to have influenced New York, and Maryland state law.
San Francisco	California	Likely to have influenced New York, and Maryland state law.
Santa Monica	California	Likely to have influenced New York, and Maryland state law.
West Hollywood	California	Likely to have influenced New York, and Maryland state law.
Culver City	California	Likely to have influenced New York, and Maryland state law.
Denver	Colorado	Likely to have influenced New York, and Maryland state law.
St. Louis	Missouri	Likely influenced Maryland state law.
Pittsburgh	Pennsylvania	Likely to have influenced Maryland state law.

Austin	Texas	Likely to have influenced Maryland state law.
Norfolk	Virginia	May influence California state law.
Madison	Wisconsin	Likely to have influenced Maryland state law.

Local Resolutions

City	State	Notes
Battery Cages, Gestation Crates, and Veal Crates		
Berkeley	California	It may have been influential in California's state law for battery cages, gestation crates, and veal crates.
San Francisco	California	It may have been influential in California's state law for battery cages, gestation crates, and veal crates.
West Hollywood	California	It may have been influential in California's state law for battery cages, gestation crates, and veal crates.
Hollywood	Florida	It did not influence Florida state law for battery cages.
New Port Richey	Florida	It did not influence Florida state law for battery cages.
West Palm Beach	Florida	It did not influence Florida state law for battery cages.
Winter Springs	Florida	It did not influence Florida state law for battery cages.
Takoma Park	Maryland	It did not influence Maryland state law for battery cages.
Brookline	Massachusetts	It may have been influential in Massachusetts' state law for veal crates.

Atlantic City	New Jersey	It did not influence Florida state law for gestation and veal crates.
Austin	Texas	It did not influence Texas state law for battery cages.
Arlington County	Virginia	It did not influence Florida state law for gestation and veal crates.
Foie Gras		
New York	New York	A 2008 resolution failed to influence New York state law.
New York	New York	A 2011 resolution failed to influence New York state law.
Plant-Based Procurement & Meat Reduction		
Alameda County	California	GFPP
Berkeley	California	Reduce 50% of animal-based products by 2024.
Berkeley	California	Meatless Monday
Los Angeles	California	Meatless Monday
Los Angeles	California	Offer more vegan and plant-based options.
Marin County	California	Veg Day
San Diego	California	GFPP
San Francisco	California	GFPP
San Francisco	California	Veg Day
Santa Monica	California	Unlikely to have influenced Connecticut state law.
Denver	Colorado	Unlikely to have influenced Connecticut state law.
Denver	Colorado	GFPP
Washington	D.C.	Continued efforts to reduce carbon footprint likely influenced the district's Green Food Purchasing Amendment act.

Gainesville	Florida	GFPP
South Miami	Florida	Meatless Monday
Chicago	Illinois	GFPP framework used locally and likely influenced Illinois state law.
Cook County	Illinois	GFPP framework used locally and likely influenced Illinois state law.
Indianapolis	Indiana	Meatless Monday
Annapolis	Maryland	Encourage vegetarian eating
Takoma Park	Maryland	Encourage vegetarian eating
Boston	Massachusetts	GFPP
Twin Cities	Minnesota	GFPP
New York	New York	Meatless Monday
New York	New York	NYC urged the New York State legislature to adopt plant-based options for incarcerated people.
Boone County	North Carolina	Meatless Monday
Carrboro	North Carolina	Unlikely to have influenced Connecticut state law.
Cleveland	Ohio	Meatless Monday
Cincinnati	Ohio	GFPP
Philadelphia	Pennsylvania	Meatless Monday
Pittsburgh	Pennsylvania	GFPP
Pittsburgh	Pennsylvania	Meatless Monday
Austin	Texas	GFPP
Puppy Mills and Pet Retail		
New York	New York	New York City asked the New York State Legislature to allow municipalities to create ordinances addressing puppy mills, but no bill has been introduced as a result.

Case Law

Case	Issue	Outcome	Notes
Battery Cages, Gestation Crates, Veal Crates			
<i>Nat'l Meat Ass'n v. Harris</i>, 2012	Whether or not a California statute was preempted by a Federal statute.	California's statute was preempted by the Federal Meat Inspection Act.	Federal preemption of state law makes it difficult for change to occur at either the local or state level.
Foie Gras			
<i>Ass'n des Éleveurs de Canards et d'Oies du Québec v. Bonta</i>, 2022	Whether or not California's state law banning foie gras sales was preempted by a federal law.	The court upheld the foie gras sales ban, stating it was valid. However, it does not ban people from importing foie gras into California.	
<i>Ill. Rest. Ass'n v. City of Chicago</i>, 2007	Whether or not the city of Chicago exceeded its police powers when it enacted an ordinance banning foie gras sales.	The city of Chicago did not exceed its police powers. The foie gras sales ban is valid.	Although the ordinance was valid, pressure from restaurants led to the ordinance being overturned.
Puppy Mills and Pet Retail			
<i>Greuner v. Lane County</i>, 1991	Whether or not the county could establish zoning ordinances relating to commercial kennels?	The local county could determine permissible and impermissible uses for zoning.	Local governments can establish ordinances relating to commercial activities, such as puppy mills.
<i>Lawrence v. Zoning Hearing Bd</i>, 1975	Whether or not commercial breeders	Zoning ordinances may apply.	The modification in operating a breeding kennel to boarding

	are subject to local zoning ordinances?		kennel was not a material change and may continue to operate.
<i>Puppies 'N Love v. City of Phoenix</i> , 2015	Whether or not the Phoenix ordinance was valid because it discriminated against out-of-state breeders?	The ordinance was valid.	The ordinance only allowed sales of animals from shelters or non-profit rescue organizations. Commercial sales from pet stores were not allowed.
<i>Puppies 'N Love v. City of Phoenix</i> , 2017	Appeal to the Ninth Circuit Court of Appeals for review.	Dismissed due to a state bill addressing the issue.	Senate Bill 1248 created an express preemption provision. It overturned all Arizona local ordinances banning pet retail sales.

Declawing

<i>California Veterinary Medical Ass'n. v. City of West Hollywood</i> , 2007	Whether or not a local ordinance banning the practice of animal declawing was preempted by a state statute.	The local ordinance was not preempted. It is a valid exercise of municipal police power.	Opponents of the local ordinance lobbied for a California state bill (A.B. 2427 , 2008; S.B. 762 , 2009). The bill preempted California cities from creating ordinances banning the practice of animal declawing.
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