

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO. _____

Wyoming livestock identification and traceability program.

Sponsored by: Joint Agriculture, State and Public Lands
and Water Resources Interim Committee

A BILL

for

1 AN ACT relating to livestock; repealing provisions for
2 participation in a national livestock identification
3 program and establishing a Wyoming livestock identification
4 and traceability program; authorizing rulemaking; providing
5 an appropriation; and providing for an effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

8

9 **Section 1.** W.S. 11-18-117 is amended to read:

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11 **11-18-117. Confidentiality of livestock premises and**
12 **identification and traceability records; penalties.**

13

1 (a) Except as provided by subsection (b) of this
2 section, all records, data and information collected by the
3 state, recorded or otherwise, for the purposes of a
4 ~~national~~Wyoming livestock identification and traceability
5 program shall be confidential and are not public records
6 for purposes of W.S. 16-4-201 through 16-4-205. The
7 records, data and information ~~shall~~may be released only
8 upon order of the Wyoming ~~livestock board~~state
9 veterinarian to appropriate governmental agencies for the
10 purposes of ~~a national~~the Wyoming livestock identification
11 and traceability program, disease ~~outbreak~~trace or law
12 enforcement investigation. The ~~board~~state veterinarian
13 shall not release any records, data or information to a
14 federal agency until the agency confirms in writing that it
15 will maintain the records, data and information as
16 confidential and that they are not subject to the federal
17 Freedom of Information Act, 5 U.S.C. § 552, as amended.
18 Upon release by the ~~board~~state veterinarian of any
19 information to any other governmental entity, the ~~board~~
20 state veterinarian shall notify the person to whom the
21 information refers or pertains that the release has been
22 made, the name of the entity to whom the information was
23 released and shall provide a copy or summary of the

1 information contained in the release. The records, data
2 and information shall not be subject to discovery or
3 introduction into evidence in any civil action.

4
5 (b) The Wyoming ~~livestock board~~ state veterinarian
6 may release information collected for the purposes of ~~a~~
7 ~~national~~ the Wyoming livestock identification and
8 traceability program related to the ownership and location
9 of individual animals to the extent the information is
10 useful in controlling or preventing a disease outbreak or
11 to show particular animals or herds are not involved in a
12 disease outbreak. The information released may be a public
13 release or may be limited to specific individuals with a
14 need to know the information, as the ~~livestock board~~ state
15 veterinarian deems the circumstances require.

16
17 (c) The Wyoming livestock board shall establish and
18 maintain a Wyoming livestock identification and
19 traceability program for the purpose of disease
20 traceability. Participation in the program shall be
21 voluntary except as otherwise provided by law. Except as
22 provided in subsections (a) and (b) of this section, all
23 information collected for the Wyoming livestock

1 identification and traceability program shall be maintained
2 only with the Wyoming livestock board. The Wyoming
3 livestock identification and traceability program shall
4 incorporate existing livestock identification and
5 traceability systems to the maximum extent practicable.
6 The Wyoming livestock board shall promulgate rules and
7 regulations for the Wyoming livestock identification and
8 traceability program, including the types of identification
9 and traceability devices used, the categories and species
10 of livestock required to be identified or traced and other
11 information as determined necessary by the Wyoming
12 livestock board to protect and promote the Wyoming
13 livestock industry.

14

15 (d) Nothing in this section prohibits:

16

17 (i) A livestock animal producer from replacing
18 or substituting unofficial livestock identification tags on
19 his livestock for management purposes;

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21 (ii) A livestock animal producer from replacing
22 official livestock identification tags that are replaced

1 with the approval of the state veterinarian or his
2 designee.

3
4 ~~(e)~~(e) A person who knowingly provides false
5 information to the Wyoming livestock board for purposes of
6 ~~a national livestock identification~~the Wyoming livestock
7 identification and traceability program shall be guilty of
8 a misdemeanor punishable by a fine of up to one thousand
9 dollars (\$1,000.00), imprisonment for up to six (6) months,
10 or both.

11
12 ~~(d)~~(f) A person who refuses to provide to the
13 livestock board information that is required under the
14 authority of the livestock board for purposes of ~~a~~
15 ~~mandatory national livestock identification~~the Wyoming
16 livestock identification and traceability program shall be
17 guilty of a misdemeanor punishable by a fine of up to one
18 thousand dollars (\$1,000.00), imprisonment for up to six
19 (6) months, or both.

20
21 (g) A person who, with the intent of avoiding
22 compliance with the Wyoming livestock identification and
23 traceability program, removes an official livestock

1 identification tag from any animal without the express
2 permission of the state veterinarian shall be guilty of a
3 misdemeanor punishable by a fine of up to one thousand
4 dollars (\$1,000.00), imprisonment for up to six (6) months
5 or both.

6
7 **Section 2.** There is appropriated three hundred
8 fifteen thousand dollars (\$315,000.00) from the general
9 fund to the Wyoming livestock board. This appropriation
10 shall be for the period beginning with the effective date
11 of this act and ending June 30, 2012. This appropriation
12 shall only be expended for the purpose of implementing and
13 maintaining the Wyoming livestock identification program.
14 Notwithstanding any other provision of law, this
15 appropriation shall not be transferred or expended for any
16 other purpose and any unexpended, unobligated funds
17 remaining from this appropriation shall revert as provided
18 by law on June 30, 2012. A request of six hundred thirty
19 thousand dollars (\$630,000.00) shall be included in the
20 Wyoming livestock board's 2013-2014 standard biennial
21 budget request for purposes of continuing funding of this
22 program.

23

1 **Section 3.** This act is effective July 1, 2011.

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(END)