

HOUSE BILL NO. HB0229

Livestock identification choice act.

Sponsored by: Representative(s) Neiman, Andrew, Barlow, Bear, Clausen, Eklund, Hunt, Laursen, Sommers, Styvar and Winter and Senator(s) Cooper, Driskill, French, Hicks and Steinmetz

A BILL

for

1 AN ACT relating to agriculture, livestock and other
 2 animals; codifying federal animal identification methods
 3 for Wyoming livestock as specified; providing exclusion;
 4 providing rulemaking authority; and providing for effective
 5 dates.

6

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

8

9 **Section 1.** W.S. 11-18-117(a), (b), by creating new
 10 subsections (c) and (d) and by amending and renumbering (c)
 11 and (d) as (e) and (f) is amended to read:

12

13 **11-18-117. Confidentiality of livestock premises and**
 14 **identification records; penalties.**

1

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

1 be subject to discovery or introduction into evidence in
2 any civil action.

3

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

14

15 (c) Wyoming livestock owners may identify animals
16 using any methods set forth in 9 C.F.R. part 86, as adopted
17 on January 9, 2013.

18

19 (d) Nothing in this section shall be construed to
20 limit or amend the brucellosis surveillance or testing
21 program administered by the state.

22

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

7

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

15

16 **Section 2.** The Wyoming livestock board and state
17 veterinarian shall promulgate any rules necessary to
18 implement this act.

19

1 **Section 3.**

2

3 (a) Except as provided in subsection (b) of this
4 section, this act is effective July 1, 2021.

5

6 (b) Sections 2 and 3 of this act are effective
7 immediately upon completion of all acts necessary for a
8 bill to become law as provided by Article 4, Section 8 of
9 the Wyoming Constitution.

10

(END)