

HOUSE BILL NO. HB0007

Voluntary livestock identification 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; establishing a Wyoming livestock identification  
4 and traceability program; providing penalties for  
5 violations; authorizing rulemaking; providing an  
6 appropriation; and providing for an effective date.

7

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

9

10 **Section 1.** W.S. 11-1-103, 11-18-117(a), (b), by  
11 creating new subsections (c) and (e) and by amending and  
12 renumbering (c) as (f) is amended to read:

13

14 **11-1-103. Penalty for violations.**

15

1 A person who violates any of the following sections commits  
2 a misdemeanor punishable by imprisonment for not more than  
3 six (6) months, a fine of not more than seven hundred fifty  
4 dollars (\$750.00), or both for the first offense, or by  
5 imprisonment for not more than one (1) year, a fine of not  
6 more than one thousand five hundred dollars (\$1,500.00), or  
7 both for second or subsequent offenses: W.S. 11-6-210(a) or  
8 (f), 11-18-112, 11-18-117(f), 11-19-101, 11-19-102,  
9 11-19-103, 11-19-111, 11-19-401, 11-20-114, 11-20-117,  
10 11-20-229, 11-20-230, 11-21-104, 11-22-118, 11-23-106,  
11 11-23-207, 11-24-106, 11-30-114 and 11-48-102. A person who  
12 violates board rules promulgated pursuant to W.S.  
13 11-18-103(a)(v) shall be subject to the penalties specified  
14 in this section.

15

16 **11-18-117. Confidentiality of livestock premises and**  
17 **identification and traceability records; penalties.**

18

19 (a) Except as provided by subsection (b) of this  
20 section, all records, data and information collected by the  
21 state, recorded or otherwise, for the purposes of a  
22 national—the Wyoming livestock identification and  
23 traceability program shall be confidential and are not  
24 public records for purposes of W.S. 16-4-201 through

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

23

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

12  
13           (c) The Wyoming livestock board shall establish and  
14 maintain a Wyoming livestock identification and  
15 traceability program for the purpose of traceability.  
16 Participation in the program shall be voluntary except as  
17 otherwise provided by law. Except as provided in  
18 subsections (a) and (b) of this section, all information  
19 collected for the Wyoming livestock identification and  
20 traceability program shall be maintained in confidentiality  
21 by the Wyoming livestock board. The Wyoming livestock  
22 identification and traceability program shall incorporate  
23 existing livestock identification and traceability systems  
24 enacted by the Wyoming livestock board or the state

1 veterinarian in accordance with the authority granted by  
2 W.S. 11-18-101 through 11-18-117 and 11-19-101 through  
3 11-19-602 to the maximum extent practicable. The Wyoming  
4 livestock board shall promulgate rules and regulations of  
5 the Wyoming livestock identification and traceability  
6 program, including the types of identification and tracing  
7 devices that are acceptable for use, the categories and  
8 species of livestock authorized to be identified or traced,  
9 acceptable conditions for replacement of approved  
10 identification devices by the livestock producers and other  
11 information as determined necessary by the Wyoming  
12 livestock board to protect and promote the Wyoming  
13 livestock industry.

14  
15 (e) Nothing in this section shall prohibit a  
16 livestock animal producer from using additional livestock  
17 tags for purposes of livestock management and producer  
18 identification.

19  
20 ~~(e)(f)~~ A person who knowingly provides false  
21 information to the Wyoming livestock board for purposes of  
22 ~~a national~~ the Wyoming livestock identification and  
23 traceability program shall be guilty of a misdemeanor  
24 ~~punishable by a fine of up to one thousand dollars~~

1 ~~(\$1,000.00), imprisonment for up to six (6) months, or both~~  
2 and punished as provided in W.S. 11-1-103.

3  
4 **Section 2.** W.S. 11-18-117(d) is repealed.

5  
6 **Section 3.** There is appropriated from the general  
7 fund forty-three thousand fifteen dollars (\$43,015.00) to  
8 the Wyoming livestock board for the purpose of implementing  
9 and maintaining the Wyoming livestock identification  
10 program. This appropriation shall be for the period  
11 beginning with the effective date of this act and ending  
12 June 30, 2014. Notwithstanding any other provision of law,  
13 this appropriation shall not be transferred or expended for  
14 any other purpose. Any unexpended, unobligated funds shall  
15 revert as provided by law on June 30, 2014.

16  
17 **Section 4.** This act is effective immediately upon  
18 completion of all acts necessary for a bill to become law  
19 as provided by Article 4, Section 8 of the Wyoming  
20 Constitution.

21  
22 (END)