

SENATE FILE NO. SF0003

Apiary laws.

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

A BILL

for

1 AN ACT relating to apiaries; providing and amending
2 definitions; providing for holding yard and spray yard
3 locations; providing for variance agreements; modifying
4 registration and inspections of apiaries; providing for
5 export certificates; providing for a penalty; and providing
6 for an effective date.

7

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

9

10 **Section 1.** W.S. 11-7-213 through 11-7-215 are created
11 to read:

12

13 **11-7-213. Holding yard apiary location.**

14

15 (a) The department may grant a certificate of
16 registration for a temporary holding yard location to

1 provide an area for holding hives prior to and after
2 returning from pollination of a commercial agricultural
3 crop in another state.

4

5 (b) A temporary holding yard location shall not be
6 used for planned honey production.

7

8 (c) A general beekeeper shall provide the department
9 location information for all temporary holding yard
10 locations by designating the yard name and latitude and
11 longitude coordinates which shall be included on the yearly
12 renewal application and designated with "HY" for holding
13 yard, as the authorized class.

14

15 (d) A colony may be held at a temporary holding yard
16 location for not more than two (2) months during the spring
17 and for not more than two (2) months during the fall.

18

19 **11-7-214. Spray yard apiary location.**

20

21 (a) The department may grant a certificate of
22 registration for a spray yard apiary location to provide an
23 area for holding hives during pesticide application to
24 allow a safe haven for the health and safety of the bees.

1

2 (b) A spray yard apiary location shall not be used
3 for planned honey production.

4

5 (c) Any hive shall not be held at a spray yard apiary
6 location for more than sixteen (16) days after any
7 pesticide application and the hive then shall be returned
8 to the registered location.

9

10 (d) A general beekeeper shall notify the department
11 or the apiary inspector when hives are moved to spray yard
12 apiary locations.

13

14 **11-7-215. Variance agreements.**

15

16 (a) Upon request from a general beekeeper, the
17 department may enter into a variance agreement with the
18 general beekeeper because of drought conditions, crop
19 rotation, conservation reserve program acres or other
20 unforeseen circumstances adverse to a yard location.

21

22 (b) Following a thorough investigation of each
23 request under subsection (a) of this section, the
24 department shall determine whether or not to enter into the

1 requested variance agreement. If granted, a variance
2 agreement shall contain an expiration date, after which the
3 bees shall be returned to the original registered location.
4 Failure to return the bees to the original registered
5 apiary location shall cause that registered apiary location
6 to be forfeited.

7
8 (c) Signed copies of a variance agreement between a
9 beekeeper and the department shall be on file in the
10 department's Cheyenne office and with the area apiary
11 inspector and the beekeeper.

12
13 **Section 2.** W.S. 11-7-130, 11-7-131(a)(ii), (iii) and
14 by creating new paragraphs (xviii) through (xxiii),
15 11-7-201(b)(ii), (iii) and (v), 11-7-301(a)(iv) and
16 11-7-302(a) are amended to read:

17
18 **11-7-130. Short title.**

19
20 This chapter may be cited as the "Wyoming Apiculture Act".
21 ~~of 1983".~~

22
23 **11-7-131. Definitions.**

1 (a) As used in this chapter:

2

3 (ii) "Bee diseases" means American or European
4 foulbrood, sacbrood, bee paralysis or other disease or
5 abnormal condition of the egg, larval, pupal or adult
6 stages of bees, including bee parasites and bee pests;

7

8 (iii) "Bees" means any stage of ~~the~~ bees in the
9 genus Apis;

10

11 (xviii) "Bee parasites" means either varroa or
12 tracheal mites;

13

14 (xix) "Bee pests" means either small hive
15 beetles or red imported fire ants;

16

17 (xx) "General beekeeper" means a person who owns
18 more than five (5) hives and manages and operates the bees
19 and the hives;

20

21 (xxi) "Global positioning system or GPS" means a
22 device that provides accuracy in positioning using latitude
23 and longitude coordinates;

24

1 (xxii) "Holding yard" means an area where
2 colonies are temporarily placed prior to leaving the state
3 or returning from pollination in another state;

4
5 (xxiii) "Spray yard" means a temporary location
6 where colonies are moved prior to any pesticide application
7 in the area of the beekeeper's registered location.

8
9 **11-7-201. Apiary registration; procedure;**
10 **information; conditions; penalties.**

11
12 (b) Application for registration shall be made to the
13 department on forms it prescribes and furnishes and shall
14 include:

15
16 (ii) The total number of colonies of bees, ~~hives~~
17 ~~and equipment in the apiary~~ the beekeeper owns;

18
19 (iii) The location of the apiary, setting forth
20 specifically the location by sectional division to the
21 nearest quarter section, ~~and~~ the township and range and the
22 latitude and longitude coordinates, or if within the
23 corporate limits of a municipality, the number of the lot
24 and block in the municipality including street address and

1 the latitude and longitude coordinates determined using
2 GPS. All new registrations shall include latitude and
3 longitude coordinates. Effective July 1, 2012, latitude
4 and longitude coordinates shall be required for all apiary
5 registrations;

6
7 (v) The date the apiary was first established
8 which shall be included for each location on yearly apiary
9 renewal applications; and

10
11 **11-7-301. Apiaries; powers and duties of the**
12 **department.**

13
14 (a) To prevent the spread of contagious and
15 infectious disease among bees and apiaries, to protect
16 apiaries against depredation by wildlife and to assist law
17 enforcement agencies in an effort to alleviate losses due
18 to theft, the department may:

19
20 (iv) Inspect any apiary, hives, equipment or
21 premises for the presence of disease. Hives belonging to
22 persons owning apiaries within the state shall be inspected
23 for contagious diseases according to schedules established
24 by the department. Apiary inspectors shall establish the

date for the inspection of any apiary with the beekeeper.
The inspection date shall be agreeable to the inspector and
the beekeeper and shall include a total of seven (7)
consecutive days upon which the inspection can be
undertaken due to weather and unforeseen circumstances.
Any beekeeper responsible for an apiary who refuses an
inspection on any of the seven (7) agreed upon dates is
subject to penalties provided pursuant to W.S. 11-7-133;

11-7-302. Importation of bees, combs or hives.

~~(a) It is unlawful to ship bees on drawn combs, combs~~
~~or any used beekeeping equipment into this state unless the~~
~~combs or equipment are certified and marked as disease free~~
~~by an official responsible for apiary regulations of the~~
~~state from which the combs or equipment are being moved.~~
~~This inspection shall have been conducted not more than~~
~~ninety (90) days prior to entry into Wyoming. Prior to~~
~~entry of bees and equipment into this state, the~~
~~certification of health shall be sent to the department.~~
~~Any shipment must be accompanied by the health certificate.~~
~~Upon entry into this state, an owner must~~ A beekeeper shall
notify the department and request an inspection to be
conducted at any specified registered location or holding

1 yard not later than fourteen (14) days after entry of the
2 bees into this state. Following an inspection for colony
3 health, the department may issue an export certificate for
4 bees imported into Wyoming. An export certificate is valid
5 for one (1) year and allows export from and re-entry into
6 Wyoming at any port of entry.

7

8 **Section 3.** This act is effective July 1, 2010.

9

10 (END)