

SENATE FILE NO. SF0064

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; repealing a criminal penalty; and
6 providing for an effective date.

7

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

9

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

14

15 **11-18-117. Confidentiality of livestock premises and**
16 **identification and traceability 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~~Wyoming livestock identification and traceability

6 program shall be confidential and are not public records

7 for purposes of W.S. 16-4-201 through 16-4-205. The

8 records, data and information ~~shall~~may be released only

9 upon order of the Wyoming ~~livestock board~~state

10 veterinarian to appropriate governmental agencies for the

11 purposes of ~~a national~~the Wyoming livestock identification

12 and traceability program, disease ~~outbreak~~trace or law

13 enforcement investigation. The ~~board~~state veterinarian

14 shall not release any records, data or information to a

15 federal agency until the agency confirms in writing that it

16 will maintain the records, data and information as

17 confidential and that they are not subject to the federal

18 Freedom of Information Act, 5 U.S.C. § 552, as amended.

19 Upon release by the ~~board~~state veterinarian of any

20 information to any other governmental entity, the ~~board~~

21 state veterinarian shall notify the person to whom the

22 information refers or pertains that the release has been

23 made, the name of the entity to whom the information was

24 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
24 identification and traceability program shall be maintained

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

13
14 (e) Nothing in this section prohibits a livestock
15 animal producer from replacing:

16
17 (i) Official livestock identification tags that
18 are replaced with the approval of the state veterinarian or
19 his designee; or

20
21 (ii) Substituting unofficial livestock
22 identification tags on his livestock for management
23 purposes.

24

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

8
9 (g) A person who, with the intent of avoiding
10 compliance with the Wyoming livestock identification and
11 traceability program, removes an official livestock
12 identification tag from any animal shall be guilty of a
13 misdemeanor punishable by a fine of up to one thousand
14 dollars (\$1,000.00), imprisonment for up to six (6) months
15 or both.

16
17 **Section 2.** W.S. 11-18-117(d) is repealed.

18
19 **Section 3.** There is appropriated three hundred
20 fifteen thousand dollars (\$315,000.00) from the general
21 fund to the Wyoming livestock board. This appropriation
22 shall be for the period beginning with the effective date
23 of this act and ending June 30, 2012. This appropriation
24 shall only be expended for the purpose of implementing and

1 maintaining the Wyoming livestock identification program.
2 Notwithstanding any other provision of law, this
3 appropriation shall not be transferred or expended for any
4 other purpose and any unexpended, unobligated funds
5 remaining from this appropriation shall revert as provided
6 by law on June 30, 2012.

7

8 **Section 4.** This act is effective July 1, 2011.

9

10 (END)