

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; 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(a), (b), by creating new
10 subsections (c) and (e) and by amending and renumbering (c)
11 as (f) is amended to read:

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

15

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~~the Wyoming livestock identification and
5 traceability program shall be confidential and are not
6 public records for purposes of W.S. 16-4-201 through
7 16-4-205. The records, data and information ~~shall~~may be
8 released only upon order of the ~~Wyoming livestock board~~
9 state veterinarian to appropriate governmental agencies for
10 the purposes of ~~a national~~the Wyoming livestock
11 identification and traceability program, disease ~~outbreak~~
12 trace back or law enforcement investigation. The ~~board~~
13 state veterinarian shall not release any records, data or
14 information to a federal agency until the agency confirms
15 in writing that it will maintain the records, data and
16 information as confidential and that they are not subject
17 to the federal Freedom of Information Act, 5 U.S.C. § 552,
18 as amended. Upon release by the ~~board~~state veterinarian of
19 any 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
24 information contained in the release. The records, data

1 and information shall not be subject to discovery or
2 introduction into evidence in any civil action.

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

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

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

17

18 (e) Nothing in this section shall prohibit a
19 livestock animal producer from using additional livestock
20 tags for purposes of livestock management and producer
21 identification.

22

23 ~~(e)~~(f) A person who knowingly provides false
24 information to the Wyoming livestock board for purposes of

1 ~~a national~~ the Wyoming livestock identification and
2 traceability program shall be guilty of a misdemeanor
3 punishable by a fine of up to one thousand dollars
4 (\$1,000.00), imprisonment for up to six (6) months, or
5 both.

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

8
9 **Section 3.** There is appropriated from the general
10 fund three hundred fifteen thousand dollars (\$315,000.00)
11 to the Wyoming livestock board for the purpose of
12 implementing and maintaining the Wyoming livestock
13 identification program. This appropriation shall be for
14 the period beginning with the effective date of this act
15 and ending June 30, 2014. Notwithstanding any other
16 provision of law, this appropriation shall not be
17 transferred or expended for any other purpose. Any
18 unexpended, unobligated funds shall revert as provided by
19 law on June 30, 2014.

20
21 **Section 4.** This act is effective July 1, 2012.

22
23 (END)