

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 5009

(SENATE AUTHORS: WESENBERG and Eichorn)

DATE
03/18/2024

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Introduction and first reading
Referred to Environment, Climate, and Legacy

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to natural resources; modifying farmed Cervidae fencing requirements;
1.3 amending Minnesota Statutes 2023 Supplement, section 35.155, subdivision 4.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2023 Supplement, section 35.155, subdivision 4, is amended
1.6 to read:

1.7 Subd. 4. **Fencing.** Farmed Cervidae must be confined in a manner designed to prevent
1.8 escape. All perimeter fences for farmed Cervidae must be at least 96 inches in height and
1.9 be constructed and maintained in a way that prevents the escape of farmed Cervidae, or
1.10 entry into the premises by free-roaming Cervidae, ~~and physical contact between farmed~~
1.11 ~~Cervidae and free-roaming Cervidae. The Board of Animal Health or commissioner of~~
1.12 ~~natural resources may determine whether the construction and maintenance of fencing is~~
1.13 ~~adequate to prevent physical contact or escape under this subdivision and may compel~~
1.14 ~~corrective action when fencing is determined to be inadequate.~~ All new fencing installed
1.15 and all fencing used to repair deficiencies must be high tensile. All entry areas for farmed
1.16 Cervidae enclosure areas must have two redundant gates, which must be maintained to
1.17 prevent the escape of animals through an open gate. If a fence deficiency allows entry or
1.18 exit by farmed or wild Cervidae, the owner must ~~immediately~~ repair the deficiency. ~~All~~
1.19 ~~other deficiencies must be repaired~~ within a reasonable time, as determined by the Board
1.20 of Animal Health, not to exceed ~~14~~ 45 days. If a fence deficiency is detected during an
1.21 inspection, the facility must be reinspected at least once in the subsequent three months.
1.22 The farmed Cervidae owner must pay a reinspection fee equal to one-half the applicable
1.23 annual inspection fee under subdivision 7a for each reinspection related to a fence violation.

- 2.1 If the facility experiences more than one escape incident in any six-month period or fails
- 2.2 to correct a deficiency found during an inspection, the board may revoke the facility's
- 2.3 registration and order the owner to remove or destroy the animals as directed by the board.
- 2.4 If the board revokes a facility's registration, the commissioner of natural resources may
- 2.5 seize and destroy animals at the facility.