

## HOUSE BILL NO. 331

INTRODUCED BY D. HOWARD

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A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT LIVESTOCK OWNERS BE PROTECTED BY THE STATE FROM ECONOMIC LOSS FOR BRUCELLOSIS-RELATED COSTS FOR ANIMALS THAT HAVE BEEN DETERMINED TO BE INFECTED WITH BRUCELLOSIS AND THAT ARE DESTROYED AS A SANITARY SAFEGUARD; CREATING A BRUCELLOSIS INDEMNITY ACCOUNT; AMENDING SECTION 81-2-206, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**NEW SECTION. Section 1. Payment of brucellosis-related costs -- claims.** (1) In addition to payment for losses of animals under 81-2-201 and for loss of personal property under 81-2-202, when animals are determined by the department or by the United States department of agriculture to be infected with brucellosis and are destroyed as a sanitary safeguard, the owner of the animals must be paid for other brucellosis-related costs incurred by the owner that are not paid by the federal government. Brucellosis-related costs include:

- (a) animal inspections, testing, and transportation required by state or federal regulations;
- (b) equipment, labor, and feed costs and income loss incurred while confining animals pursuant to a quarantine order; and
- (c) equipment, labor, and feed costs and income loss related to the required destruction of animals.

(2) Brucellosis-related costs owed under this section must be paid entirely by the state, and the county has no liability for payment of brucellosis-related costs.

(3) A claim for brucellosis-related costs must be made on forms provided by the department. The claim must contain an affidavit by the owner of the animals or the owner's agent with knowledge of the brucellosis-related costs certifying to the ownership of the animals and that the animals have been destroyed for brucellosis control under the law and the rules of the department. The claim must be accompanied by a certificate from the department that the animals were ordered destroyed. The claim must also be accompanied by an accounting verifying all brucellosis-related costs.

(4) A claim against the state arising under this section, if found correct, must be processed and paid from funds in the account created in [section 2].

