

HOUSE BILL NO. HB0012

Contagious and infectious diseases among livestock.

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

A BILL

for

1 AN ACT relating to contagious and infectious diseases among
2 livestock; revising provisions related to contagious and
3 infectious diseases among livestock and other animals as
4 specified; increasing certain penalties related to diseases
5 among livestock and other animals as specified; repealing
6 obsolete provisions; and providing for an effective date.

7

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

9

10 **Section 1.** W.S. 11-1-103, 11-19-103(a) and (e),
11 11-19-104(a)(intro), 11-19-108, 11-19-111(a), (b) and (d),
12 11-19-112, 11-19-201(a)(i), by creating a new paragraph
13 (ii) and by renumbering (ii) as (iii), 11-19-205,
14 11-19-208, 11-19-209, 11-19-210, 11-19-214, 11-19-215,
15 11-19-303, 11-19-304, 11-19-306, 11-19-401, 11-19-402 and
16 11-19-403 are amended to read:

1

2 **11-1-103. Penalty for violations.**

3

4 A person who violates any of the following sections commits
5 a misdemeanor punishable by imprisonment for not more than
6 six (6) months, a fine of not more than seven hundred fifty
7 dollars (\$750.00), or both for the first offense, or by
8 imprisonment for not more than one (1) year, a fine of not
9 more than one thousand five hundred dollars (\$1,500.00), or
10 both for second or subsequent offenses: W.S. 11-6-210(a) or
11 (f), 11-18-112, 11-19-101, 11-19-102, 11-19-103, 11-19-111,
12 11-19-210, 11-19-215, 11-19-304, 11-19-306, 11-19-401,
13 11-20-114, 11-20-117, 11-20-229, 11-20-230, 11-21-104,
14 11-22-118, 11-23-106, 11-23-207, 11-24-106, 11-30-114 and
15 11-48-102. A person who violates board rules promulgated
16 pursuant to W.S. 11-18-103(a)(v) shall be subject to the
17 penalties specified in this section.

18

19 **11-19-103. Quarantine of diseased animals generally;
20 treatment, testing and vaccination thereof; effect of
21 failure to obey order of state veterinarian; appeal; stay
22 of action.**

23

1 (a) In all cases of infectious and contagious disease
2 among domestic animals in this state, the state
3 veterinarian may order the quarantine of the infected
4 premises. If the disease becomes ~~epidemic~~epizootic in any
5 locality in this state, the state veterinarian shall
6 immediately notify the governor who shall issue his
7 proclamation forbidding transfer of any animal of the kind
8 among which the ~~epidemic~~epizootic disease exists from the
9 locality without permission from the state veterinarian.

10

11 (e) If the owner or persons in charge of animals
12 ordered treated, tested, vaccinated or quarantined after
13 reasonable notice determined by the veterinarian, fail to
14 treat, test, vaccinate or quarantine such animals as
15 ordered, the veterinarian may seize or cause such animals
16 to be seized and treated, tested, vaccinated or quarantined
17 and may hold and sell the animals, or part thereof as
18 necessary to pay all costs of inspection, seizing, caring
19 for, treating, testing, vaccinating or quarantine together
20 with cost of sale. The sale shall be made at the time and
21 place and in the manner prescribed by the veterinarian. Not
22 less than three (3) days nor more than fifteen (15) days
23 notice of the time, place and purpose of the sale shall be
24 given by the veterinarian to the owner or persons in charge

1 of the animals, by personal service within the county in
2 which the animals are being held if possible, and if not
3 possible then such notice may be given either by personal
4 service outside of the county or by advertisement in any
5 paper selected by the veterinarian. The state veterinarian
6 shall only sell the ~~livestock~~ animals after all other
7 remedies have been exhausted.

8

9 **11-19-104. Slaughter of diseased animals; authority**
10 **of veterinarian; slaughtering order; when consent of owner**
11 **required.**

12

13 (a) In any case of ~~epidemic~~ epizootic disease where
14 premises have been previously quarantined by the state
15 veterinarian, he may order the slaughter of any diseased
16 animals upon the premises and all animals that have been
17 exposed to contagion or infection under the following
18 restrictions:

19

20 **11-19-108. Compensation of board.**

21

22 Each member of a board of arbitration shall receive ~~five~~
23 ~~dollars (\$5.00)~~ one hundred dollars (\$100.00) for each day
24 actually engaged and employed in the investigation of any

1 claim, paid by the state veterinarian out of an
2 appropriation for that purpose.

3

4 **11-19-111. Regulation of importation of animals;**
5 **prohibited acts; penalties; applicability.**

6

7 (a) The governor, upon recommendation of the Wyoming
8 livestock board, may regulate by proclamation the
9 importation into Wyoming from any other state any
10 ~~livestock, or any virulent blood or live virus of~~ animal,
11 blood, microorganism or biologic agent capable of causing
12 any disease affecting livestock or other animals, or any
13 ~~thing~~ other item suspected of being infected or
14 contaminated with ~~livestock disease germs~~ biologic agents
15 capable of causing animal disease, except under such
16 conditions as he deems proper for the protection of the
17 livestock, livestock animals as defined in W.S.
18 11-29-101(a)(vi) and other domestic animals of Wyoming. All
19 requirements in the governor's proclamation shall be
20 enforced by the Wyoming livestock board.

21

22 (b) After a proclamation is issued by the governor it
23 is unlawful for any person to import into Wyoming or
24 receive imports within this state from any other state any

1 ~~livestock, virulent blood or live virus of~~ animal, blood,
2 microorganism or biologic agent capable of causing any
3 diseases affecting livestock or other animals, or any
4 product or ~~thing~~ item suspected of being infected or
5 contaminated with ~~livestock disease germs~~ biologic agents
6 capable of causing animal disease, except under such
7 conditions as may be imposed by the proclamation. Any
8 person who violates this section shall be punished as
9 provided in W.S. 11-1-103. The violator is civilly liable
10 for all damages and loss sustained by any person by reason
11 of violation of the proclamation.

12

13 (d) The state veterinarian may inspect, treat, test,
14 vaccinate, quarantine or sell any livestock or other
15 domestic animals imported into Wyoming in violation of W.S.
16 11-19-111 or any rules promulgated thereunder. Any order
17 or regulation made by the state veterinarian is subject to
18 review, modification or annulment by the governor or the
19 board at any subsequent meeting.

20

21 **11-19-112. Cooperation with animal and plant health**
22 **inspection service.**

23

1 The state consents to having the ~~bureau of animal industry~~
2 animal and plant health inspection service of the United
3 States department of agriculture and its employees come
4 within Wyoming for all purposes connected with the
5 importation and exportation of diseased livestock and for
6 all purposes connected with the eradication, suppression
7 and control of dangerously infectious and contagious
8 diseases of livestock.

9

10 **11-19-201. Definitions.**

11

12 (a) As used in this act:

13

14 (i) "Dairy ~~cow~~animal" means any cow, sheep or
15 goat, the milk or milk products from which is sold or used
16 for human consumption;

17

18 (ii) "Livestock animal" means as defined in W.S.
19 11-29-101(a)(vi);

20

21 ~~(ii)~~ (iii) "This act" means W.S. 11-19-201
22 through 11-19-215.

23

1 11-19-205. State veterinarian may require annual
2 test.

3
4 The ~~mayer or governing body of any city or town~~ state
5 veterinarian may require ~~by ordinance~~ persons selling or
6 offering for sale any milk or milk products within the ~~city~~
7 ~~or town~~ state to have all livestock animals producing the
8 milk tested for tuberculosis at least once each year, and
9 may prohibit the ~~sale~~ use of milk or milk products in the
10 ~~city or town~~ state from these livestock animals unless all
11 ~~ewes~~ livestock animals from which such milk is produced
12 have passed the ~~test~~ required tests for tuberculosis within
13 the past year.

14

15 11-19-208. Ear tags; record to be kept of livestock
16 animals tested.

17

18 Each livestock animal ~~which passes the~~ tested for
19 tuberculosis ~~test satisfactorily~~ shall have an official ear
20 tag inserted in its ear. The ~~state~~ testing veterinarian
21 shall ~~see that a correct record is kept of all cattle~~
22 ~~tested, the date and place of testing, the names and~~
23 ~~addresses of owners and the number of the ear tag inserted~~
24 ~~in the ear of each animal, and shall report this~~

1 ~~information in his regular biennial report~~ keep an official
2 record of all livestock animals tested and submit a copy of
3 the record to state and federal animal health officials.

4
5 **11-19-209. Tests of livestock animals.**

6
7 Whenever the state veterinarian suspects that tuberculosis
8 exists or has been introduced ~~by imported dairy cattle~~
9 ~~among any dairy cattle in this state~~ to livestock animals,
10 he shall order the ~~retesting~~ testing of ~~same, regardless of~~
11 ~~any former tests made~~ the livestock animals.

12
13 **11-19-210. Veterinarian's certificate or special**
14 **permit; required to sell milk or cream; penalty for failure**
15 **to comply.**

16
17 The state veterinarian may require a certificate or special
18 permit for a person selling milk or cream when he has
19 reason to believe an animal or public health risk exists.

20 The certificate or special permit required under this
21 section shall identify the results of specific diagnostic
22 tests or other measures required to be completed prior to
23 the use of milk or cream for human consumption. No person

24 ~~selling milk or cream in cities or towns or to creameries~~

1 ~~in this state,~~ may sell ~~such~~ milk or cream unless they
2 possess a certificate or special permit ~~from~~ required by
3 the state veterinarian under this section. Any person
4 violating this section is guilty of a misdemeanor and shall
5 be ~~finned not less than ten dollars (\$10.00) nor more than~~
6 ~~one hundred dollars (\$100.00)~~ punished as provided in W.S.
7 11-1-103 for each offense.

8

9 **11-19-214. Disposition of diseased livestock.**

10

11 All livestock animals in Wyoming ~~lawfully~~ found to be
12 affected with or exposed to tuberculosis may be ~~shipped~~
13 disposed on the origin premises or transported under the
14 direction of the state veterinarian ~~in accordance with~~
15 ~~federal regulations, to livestock markets and there sold~~
16 ~~for salvage and destroyed or transferred~~ directly to an
17 approved slaughter facility, rendering facility or
18 veterinary diagnostic laboratory in accordance with federal
19 regulations. Producers may be eligible for indemnification
20 as provided in W.S. 11-19-106 for any livestock animal
21 ordered disposed pursuant to this section.

22

23 **11-19-215. Prohibited acts; penalties.**

24

1 Any person who intentionally interferes with, refuses to
2 assist in gathering and testing his ~~cattle~~livestock
3 animals, or hinders the work of the state veterinarian or
4 his employees under this act, or who attempts to defeat the
5 object of the tuberculin test by a previous injection of
6 tuberculin commonly known as "plugging," or in any way
7 attempts to prevent an accurate and truthful determination
8 of the condition of the ~~cattle~~livestock animals tested,
9 shall be ~~fined not less than ten dollars (\$10.00) nor more~~
10 ~~than one hundred dollars (\$100.00) , or imprisoned not more~~
11 ~~than thirty (30) days, or both~~ punished as provided in W.S.
12 11-1-103.

13

14 **11-19-303. Appropriations by counties for control of**
15 **diseases.**

16

17 The board of county commissioners may appropriate as much
18 money as it deems necessary for the control and eradication
19 of any infectious, contagious or communicable diseases of
20 livestock. The funds shall be used in cooperation with the
21 state veterinarian or the ~~veterinary services,~~ United
22 States department of agriculture, animal and plant health
23 inspection service in testing animals and disposing of
24 diseased animals disclosed by the tests as provided by law.

1

2 11-19-304. Prohibition on importation of cattle or
3 bison; penalties.

4

5 Any person bringing cattle or bison into any ~~"tuberculosis~~
6 ~~modified accredited area"~~ tuberculosis accredited-free area
7 except in compliance with the rules and regulations made by
8 the state veterinarian shall upon conviction be punished ~~by~~
9 ~~imprisonment for not more than one (1) year, or by a fine~~
10 ~~of not more than one hundred dollars (\$100.00), or both~~ as
11 provided in W.S. 11-1-103.

12

13 11-19-306. Penalties for violation of rules and
14 regulations.

15

16 Any person who violates any lawful rule or regulation made
17 by the state veterinarian pursuant to W.S. 11-19-305 is
18 guilty of a misdemeanor and upon conviction, shall be
19 punished ~~by imprisonment for not more than one (1) year, or~~
20 ~~by a fine of not more than one hundred dollars (\$100.00),~~
21 ~~or both~~ as provided in W.S. 11-1-103.

22

23 11-19-401. Tagging, branding and disposition of
24 cattle reacting to test; penalties for failure to comply.

1

2 All cattle in Wyoming reacting to ~~an agglutination~~ a
3 confirmatory test for brucellosis (Bang's disease) ~~except~~
4 ~~reactors under thirty (30) months of age which have been~~
5 ~~officially vaccinated with brucella abortus vaccine, strain~~
6 ~~19, and except officially vaccinated adult animals which~~
7 ~~were negative to the agglutination test for brucellosis~~
8 ~~within ten (10) days prior to vaccination, must~~ shall be
9 immediately tagged in the left ear with a Bang's reactor
10 tag and permanently branded with a hot iron letter "B" on
11 the left jaw by or in the presence of an officially
12 authorized veterinarian. All such reactors ~~must~~ shall be
13 disposed of for slaughter or diagnostic purposes only, upon
14 and according to written instruction from the Wyoming
15 livestock board. Any person who violates any provision of
16 this section shall be punished as provided in W.S.
17 11-1-103. As used in this section, "confirmatory test"
18 means a test for brucellosis that has the specificity and
19 sensitivity to verify the presence or absence of brucella
20 abortus in animal serum or tissues and is used to confirm
21 results from an initial brucellosis test.

22

1 **11-19-402. Breeding cattle and bison entering state**
2 **to show evidence of negative test or vaccination for**
3 **brucellosis; exceptions.**

4
5 All breeding cattle and ~~buffalo~~bison entering Wyoming
6 shall be accompanied by a proper health certificate showing
7 evidence of a negative blood test for brucellosis made
8 within thirty (30) days prior to entry, or evidence of
9 being officially vaccinated by a licensed veterinarian
10 during calfhood against brucellosis. Breeding cattle and
11 ~~buffalo~~bison originating from ~~modified~~certified
12 ~~brucellosis areas, certified~~ brucellosis free areas and
13 from certified brucellosis free herds entering Wyoming may
14 be exempt from this section but must be accompanied by a
15 proper health certificate.

16
17 **11-19-403. When cattle or bison exempt from**
18 **provisions.**

19
20 Breeding cattle and ~~buffalo~~bison entering Wyoming for the
21 purpose of feeding only may be exempt from the requirements
22 of W.S. 11-19-402 if they are placed under quarantine by
23 the rules and regulations promulgated by the Wyoming
24 livestock board.

1

2 **Section 2.** W.S. 11-19-113 through 11-19-117,
3 11-19-202 through 11-19-204, 11-19-206, 11-19-207,
4 11-19-211 through 11-19-213, 11-19-301 and 11-19-302 are
5 repealed.

6

7 **Section 3.** This act is effective July 1, 2013.

8

9

(END)