

ORIGINAL HOUSE  
BILL NO. 0012

ENROLLED ACT NO. 2, HOUSE OF REPRESENTATIVES

SIXTY-SECOND LEGISLATURE OF THE STATE OF WYOMING  
2013 GENERAL SESSION

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

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

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

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

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

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

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

(e) If the owner or persons in charge of animals ordered treated, tested, vaccinated or quarantined after reasonable notice determined by the veterinarian, fail to treat, test, vaccinate or quarantine such animals as ordered, the veterinarian may seize or cause such animals to be seized and treated, tested, vaccinated or quarantined and may hold and sell the animals, or part thereof as necessary to pay all costs of inspection, seizing, caring for, treating, testing, vaccinating or quarantine together with cost of sale. The sale shall be made at the time and place and in the manner prescribed by the veterinarian. Not less than three (3) days nor more than fifteen (15) days notice of the time, place and purpose of the sale shall be given by the veterinarian to the owner or persons in charge of the animals, by personal service within the county in which the animals are being held if possible, and if not possible then such notice may be given either by personal service outside of the county or by advertisement in any paper selected by the veterinarian. The state veterinarian shall only sell the ~~livestock~~animals after all other remedies have been exhausted.

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

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

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

Each member of a board of arbitration shall receive ~~five dollars (\$5.00)~~one hundred dollars (\$100.00) for each day actually engaged and employed in the investigation of any claim, paid by the state veterinarian out of an appropriation for that purpose.

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

(a) The governor, upon recommendation of the Wyoming livestock board, may regulate by proclamation the importation into Wyoming from any other state any ~~livestock, or any virulent blood or live virus of animal, blood, microorganism or biologic agent capable of causing~~ any disease affecting livestock or other animals, or any ~~thing~~other item suspected of being infected or contaminated with ~~livestock disease germs~~biologic agents capable of causing animal disease, except under such conditions as he deems proper for the protection of the livestock, livestock animals as defined in W.S. 11-29-101(a)(vi) and other domestic animals of Wyoming. All

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requirements in the governor's proclamation shall be enforced by the Wyoming livestock board.

(b) After a proclamation is issued by the governor it is unlawful for any person to import into Wyoming or receive imports within this state from any other state any ~~livestock, virulent blood or live virus of~~ animal, blood, microorganism or biologic agent capable of causing any diseases affecting livestock or other animals, or any product or ~~thing—item~~ suspected of being infected or contaminated with ~~livestock disease germs~~ biologic agents capable of causing animal disease, except under such conditions as may be imposed by the proclamation. Any person who violates this section shall be punished as provided in W.S. 11-1-103. The violator is civilly liable for all damages and loss sustained by any person by reason of violation of the proclamation.

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

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

The state consents to having the ~~bureau of animal industry~~ animal and plant health inspection service (APHIS) of the United States department of agriculture and its employees come within Wyoming for all purposes connected with the importation and exportation of diseased livestock and for all purposes connected with the eradication, suppression

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and control of dangerously infectious and contagious diseases of livestock.

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

(a) As used in this act:

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

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

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

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

Each livestock animal ~~which passes the~~ tested for tuberculosis ~~test satisfactorily~~ shall have an official ear tag inserted in its ear. The ~~state~~ testing veterinarian shall ~~see that a correct record is kept of all cattle tested, the date and place of testing, the names and addresses of owners and the number of the ear tag inserted in the ear of each animal, and shall report this information in his regular biennial report~~ keep an official record of all livestock animals tested and submit a copy of the record to state and federal animal health officials.

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

Whenever the state veterinarian suspects that tuberculosis exists or has been introduced ~~by imported dairy cattle among any dairy cattle in this state~~ to livestock animals,

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he shall order the ~~retesting~~ testing of ~~same, regardless of any former tests made~~ the livestock animals.

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

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

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

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

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

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

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

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

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

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

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

All ~~cattle~~ livestock animals in Wyoming reacting to ~~an agglutination~~ a confirmatory test for brucellosis (Bang's

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

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

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



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

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

**Section 2.** W.S. 11-19-113 through 11-19-117, 11-19-202 through 11-19-207, 11-19-210 through 11-19-213, 11-19-301 and 11-19-302 are repealed.

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

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the House.

\_\_\_\_\_  
Chief Clerk