ENGROSSED SENATE
BILL NO. 1444

By: Wyrick of the Senate

and

Hyman of the House

[agriculture - animal identification program - effective date]

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY Section 1, Chapter 544, O.S.L. 2004 (2 O.S. Supp. 2005, Section 4-20), is amended to read as follows:

Section 4-20. A. The Oklahoma Department of Agriculture, Food, and Forestry shall be the official animal <u>and premises</u> identification agency of the state and shall be the official agency of the state in any dealings between this state and the United States Department of Agriculture, any other federal agency, or any agency or person of this or another state on matters pertaining to animal <u>and premises</u> identification.

B. It is the intent of the Oklahoma State Legislature to direct and authorize the Oklahoma Department of Agriculture, Food, and Forestry to develop, implement, and administer an Oklahoma Animal Identification Program that achieves the following goals:

1. Enhance disease preparedness by rapidly identifying animals exposed to disease, thus allowing quick detection, containment, and elimination of disease threats;

2. Promote continued confidence in animal products and to protect the health status of Oklahoma’s herds and flocks;

3. Identify infected and exposed premises, animals, and groups of animals;

4. Develop a comprehensive infrastructure that utilizes state-of-the-art national and international standards with the best available and practical technologies for the collection and recording of livestock and food animal movements; and

5. Be dynamic and flexible, and incorporate new and proven technologies as they become available.

C. The Department shall be authorized to promulgate rules for the implementation and administration of the Oklahoma Animal Identification Program, if one of the following occurs:

1. The United States Department of Agriculture issues proposed or final rules or requirements for the implementation of a national animal identification or premises registration program;

2. The United States Congress enacts requirements for a national animal identification or premises registration system; or

3. Another state establishes requirements for animal identification or premises registration affecting the importation of livestock from Oklahoma.

D. Any rules promulgated by the Department pursuant to this section that may be reasonably necessary to implement the Oklahoma Animal Identification Program may include the following:

1. Premises identification;

2. Individual animal identification;

3. Group and lot animal identification;

4. Specifications and standards for the identification technologies used to track and trace animal movements;

5. Record keeping; and

6. Protecting and improving the health of Oklahoma livestock and food animals.

E. The Department may charge fees; however, the fees shall be limited to the actual costs of the Department for the implementation and administration of the Oklahoma Animal Identification Program.

F. Pursuant to this section and rules promulgated pursuant thereto, any data or records provided to the Department by persons regarding premises or animal identification, including the name and address of the provider, shall be kept confidential except in the following circumstances:

1. Federal law requires the information for a national animal identification program;

2. The Department deems release of confidential information to other state and federal agencies is necessary for disease control and disease traceback;

3. The information is needed to assist law enforcement officials in livestock recovery and theft investigations; and

4. The Department may release information as needed to assist in criminal investigations or tracebacks concerning violations of state or federal pharmacy acts and drug residues.

G. In the event that information regarding premises or animal identification is provided to other individuals or entities, the information shall be specific and not cumulative.

H. A court shall quash any subpoena commanding the disclosure of confidential information or records of the Department.

SECTION 2. This act shall become effective November 1, 2006.

Passed the Senate the 28th day of February, 2006.

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Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____, 2006.

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Presiding Officer of the House
of Representatives