

3 Senate Bill No. 1444
4 As Amended

5 SENATE BILL NO. 1444 - By: WYRICK of the Senate and HYMAN of the
6 House.

7 [agriculture - animal identification program - effective
8 date]

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

10 SECTION 1. AMENDATORY Section 1, Chapter 544, O.S.L.
11 2004 (2 O.S. Supp. 2005, Section 4-20), is amended to read as
12 follows:

13 Section 4-20. A. The Oklahoma Department of Agriculture, Food,
14 and Forestry shall be the official animal and premises
15 identification agency of the state and shall be the official agency
16 of the state in any dealings between this state and the United
17 States Department of Agriculture, any other federal agency, or any
18 agency or person of this or another state on matters pertaining to
19 animal and premises identification.

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

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

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

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

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

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

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

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

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

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

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

- 7 1. Premises identification;
- 8 2. Individual animal identification;
- 9 3. Group and lot animal identification;
- 10 4. Specifications and standards for the identification
11 technologies used to track and trace animal movements;
- 12 5. Record keeping; and
- 13 6. Protecting and improving the health of Oklahoma livestock
14 and food animals.

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

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

1 1. Federal law requires the information for a National Animal
2 Identification program;

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

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

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

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

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

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

17 COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE & RURAL DEVELOPMENT,
18 dated 2-14-06 - DO PASS, As Amended and Coauthored.