

ANIMAL HEALTH AMENDMENTS

1999 GENERAL SESSION

STATE OF UTAH

Sponsor: Melvin R. Brown

AN ACT RELATING TO AGRICULTURE; PROVIDING THAT AN ANIMAL MAY NOT BE IMPORTED INTO THE STATE WITHOUT BEING ACCOMPANIED BY A HEALTH CERTIFICATE; PROVIDING THAT FEMALE CATTLE WITHIN OR IMPORTED INTO THE STATE ARE NOT REQUIRED TO BE VACCINATED FOR BRUCELLOSIS; REQUIRING THAT PRIOR TO IMPORTATION INTO THE STATE, CERTAIN CATTLE MUST TEST NEGATIVE FOR BRUCELLOSIS; § ~~AND~~ § DIRECTING THE DEPARTMENT OF AGRICULTURE AND FOOD TO MAKE RULES § ;**AND PROVIDING AN EFFECTIVE DATE** § .

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

4-31-9, as last amended by Chapter 2, Laws of Utah 1982

ENACTS:

4-31-16.5, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **4-31-9** is amended to read:

4-31-9. Imported animals -- Health certificate.

No person, except as [~~may otherwise be~~] provided by [~~regulation promulgated by~~] rule of the department, [shall] may import any [livestock or zoo] animal into this state unless it is [certified in writing by a] accompanied by a health certificate that meets the requirements of department rules and is issued by a licensed veterinarian [or qualified technician to be free from contagious, infectious, or communicable disease].

Section 2. Section **4-31-16.5** is enacted to read:

4-31-16.5. Brucellosis -- Vaccination not required for cattle -- Testing required to import certain cattle.

28 (1) As used in this section, "test-eligible" has the meaning defined in 9 C.F.R. Sec. 78.1.

29 (2) Female cattle within or imported into the state are not required to be vaccinated for
30 brucellosis.

31 (3) (a) Test-eligible cattle imported from states designated as brucellosis-free under 9
32 C.F.R. Sec. 78.43, that are acquired directly from the farm of origin are not required to be tested
33 for brucellosis before movement into the state.

34 (b) Test-eligible cattle imported from states designated as brucellosis-free under 9 C.F.R.
35 Sec. 78.43, that are acquired through trading channels must test negative for brucellosis within 30
36 days before movement into the state.

37 (4) Test-eligible cattle imported from states that have not been designated as
38 brucellosis-free under 9 C.F.R. Sec. 78.43, must test negative for brucellosis within 30 days before
39 movement into the state.

40 (5) The department shall make rules in accordance with Title 63, Chapter 46a, Utah
41 Administrative Rulemaking Act, to implement this section.

41a **§ Section 3. Effective date.**

41b **IF APPROVED BY TWO-THIRDS OF ALL THE MEMBERS ELECTED TO EACH HOUSE, THIS**
41c **ACT TAKES EFFECT UPON APPROVAL BY THE GOVERNOR, OR THE DAY FOLLOWING THE**
41d **CONSTITUTIONAL TIME LIMIT OF UTAH CONSTITUTION ARTICLE VII, SECTION 8, WITHOUT THE**
41e **GOVERNOR'S SIGNATURE, OR IN THE CASE OF A VETO, THE DATE OF VETO OVERRIDE. §**

Legislative Review Note
as of 12-15-98 4:36 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel