

**NATIONAL ANIMAL IDENTIFICATION
SYSTEM**

2009 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Melvin R. Brown

Senate Sponsor: Kevin T. Van Tassell

LONG TITLE

General Description:

This bill enacts a provision relating to the Utah Department of Agriculture and Food's participation in a national animal identification system.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ authorizes the department to participate in a national animal identification system;
- ▶ prohibits the department or a political subdivision from requiring a person to participate in a national animal identification system;
- ▶ authorizes the department to adopt rules;
- ▶ authorizes a person to withdraw from a national animal identification system; and
- ▶ provides a severability clause.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

4-31-22, Utah Code Annotated 1953



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

Section 1. Section **4-31-22** is enacted to read:

4-31-22. National animal identification system.

(1) As used in this section, "national animal identification system" means a voluntary system organized by the United States Department of Agriculture to collect information regarding premises registration, animal identification, and animal movement.

(2) The department may participate in a national animal identification system.

(3) The department may not:

(a) require a person to participate in:

(i) the national animal identification system; or

(ii) a system that requires livestock premise registration, identification, or tracking;

(b) withhold indemnity based solely on nonparticipation in the national animal identification system; or

(c) deny, revoke, or limit a service, license, permit, grant, or other benefit to a person who does not participate in the national animal identification system.

(4) The section does not prohibit the department from:

(a) establishing or participating in a disease control program specifically designed to address a known disease in a specific species of livestock; and

(b) operating livestock identification, brand registration, or inspection programs as authorized by this title.

(5) A political subdivision may not require participation in the national animal identification system or any other similar system that regulates livestock or poultry, including premise registration, animal identification, or the tracking or surveillance of livestock or poultry.

(6) (a) A person who participates in a national animal identification system may withdraw from participation at any time.

(b) When a person withdraws from the national animal identification system, except as provided by Subsection (6)(c), the department shall:

(i) delete all information submitted by the person; and

(ii) notify any entity with whom the department has shared the information of the

59 withdrawal and request the entity delete the information.

60 (c) The department is not required to delete information if a person is part of an
61 ongoing disease investigation, monitoring, or control program for which the department has
62 responsibility.

63 (7) By following the procedures and requirements of Title 63G, Chapter 3, Utah
64 Administrative Rulemaking Act, the department may adopt a rule:

65 (a) establishing a procedure by which a person may withdraw from the national animal
66 identification system; and

67 (b) if the national animal identification is required by federal law, that is:

68 (i) necessary to implement federal law; and

69 (ii) no more stringent than federal law.

70 (8) (a) If any provision of this section, or the application of any provision to any person
71 or circumstance is held invalid, the remainder of this section shall be given effect without the
72 invalid provision or application.

73 (b) The provisions of this provision are severable.

Legislative Review Note
as of 2-18-09 2:46 PM

Office of Legislative Research and General Counsel

H.B. 183 - National Animal Identification System

Fiscal Note

2009 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
