

369 **4-31-102. Dead domestic animals -- Duty of owner to bury or otherwise dispose of**
 370 **them -- Liability for costs.**

371 (1) An owner or other person responsible for a domestic animal that dies shall ~~it~~ [f] ~~to~~
 371a bury or ~~it~~ [f] ~~to~~
 372 dispose of the animal ~~it~~ [~~in accordance with state and local law,~~] ~~to~~ within a reasonable period
 372a of
 373 time after the owner or other person responsible for the animal becomes aware that the animal
 374 is dead.

375 ~~it~~ [f] ~~to~~ (2) The owner of a dead bovine, horse, mule, goat, sheep, bird, or swine may
 375a bury the
 376 dead animal on the owner's property. ~~it~~ [f]

377 ~~it~~ [f] ~~to~~ (3) ~~it~~ [~~to~~] ~~to~~ If the owner or other person responsible for the dead animal
 377a cannot be found,
 378 the county, city, or town within which the dead animal is found, shall, at the political
 379 subdivision's expense, ~~it~~ [f] ~~to~~ bury ~~it~~ [~~to dispose of~~] ~~to~~ the dead animal.

380 ~~it~~ [f] ~~to~~ (4) ~~it~~ [~~to~~] ~~to~~ A county, city, or town that incurs expense under this
 380a section is entitled to
 381 reimbursement from the owner of the dead animal.

382 Section 11. Section **4-31-106** is amended to read:

383 **4-31-106. Epidemic of contagious or infectious disease -- Condemnation or**
 384 **destruction of infected or exposed livestock -- Destruction of other property.**

385 (1) If there is an outbreak of contagious or infectious [~~foreign animal~~] disease of
 386 epidemic proportion among domestic animals in this state that imperils livestock, the
 387 commissioner, with approval of the governor, may condemn, destroy, or dispose of any
 388 infected livestock or any livestock exposed to the disease or considered by the commissioner
 389 capable of [~~communicating~~] transmitting the disease to other domestic animals.

390 (2) The commissioner may, with gubernatorial approval, condemn and destroy any
 391 barns, sheds, corrals, pens, or other property necessary to prevent the spread of contagion or
 392 infection.

393 Section 12. Section **4-31-107** is amended to read:

394 **4-31-107. Value determination before destruction.**

395 (1) Before any livestock or property that is not otherwise indemnified is destroyed
 396 under Section 4-31-106, [~~an appraisal of the fair market value of the livestock or other property~~
 397 ~~shall be forwarded to the commissioner by a panel of three qualified appraisers appointed as~~
 398 ~~follows:] the commissioner shall determine the value ~~it~~ of the livestock or other property ~~to~~
 398a in consultation with the state veterinarian.~~

399 ~~[(a) one by the commissioner;]~~

400 ~~[(b) one by the owner of the livestock or other property subject to condemnation; and]~~
 401 ~~[(c) one by the appraisers specified in Subsections (1)(a) and (b).]~~

402 (2) The commissioner shall make the value determination described in Subsection (1)
 403 based on available data from the United States Department of Agriculture or other reliable
 404 government sources.

405 ~~[(2)]~~ (3) After review, the commissioner shall forward the ~~[appraisal]~~ determined value ~~H→~~
 405a **and an appraisal described in Subsection (4), if any,** ~~←H~~
 406 to the board of examiners described in Subsection 63G-9-201(2) together with the
 407 commissioner's recommendation concerning the amount, if any, that should be ~~H→~~ **[allowed]**
 407a **reimbursed** ~~←H~~ .

408 ~~[(3) Any costs incurred in the appraisal shall be paid by the state.]~~ ~~H→~~ **(4) An owner of**
 408a **livestock or other property subject to destruction may pay for an independent appraisal of the**
 408b **value of the livestock or other property, which appraisal the board of examiners shall consider**
 408c **in the board of examiner's recommendation described in Subsection (3).** ~~←H~~

409 Section 13. Section **4-31-114** is amended to read:

410 **4-31-114. Report of vesicular disease.**

411 (1) A person who identifies symptoms of vesicular disease in livestock shall
 412 immediately report it to the department.

413 (2) ~~[Failure of a]~~ The department may report a veterinarian licensed in this state [to
 414 report to the department] to the veterinarian's licensing authority for the veterinarian's failure to
 415 report a diagnosed case of vesicular disease [constitutes ground for the revocation of such
 416 veterinarian's license] to the department.

417 (3) Failure by an owner of livestock to report symptoms of vesicular disease among the
 418 owner's livestock constitutes forfeiture of the right to claim an indemnity for an animal
 419 euthanized on account of the disease.

420 Section 14. Section **4-31-115** is amended to read:

421 **4-31-115. Contagious or infectious disease, or any epidemic or poisoning -- Duties**
 422 **of department.**

423 (1) (a) The department shall investigate and may quarantine a reported case of
 424 contagious or infectious disease, or any epidemic or poisoning, affecting a domestic animal or
 425 an animal that the department believes may jeopardize the health of animals within the state.

426 (b) The department shall make a prompt and thorough examination of the
 427 circumstances surrounding the disease, epidemic, or poisoning and may order quarantine, care,
 428 or any necessary remedies.

429 (c) The department may also order immunization or testing and sanitary measures to
 430 prevent the spread of disease.

462 (ii) submit chronic wasting disease test samples for at least 90% of mortalities over 12
463 months old; ~~H→~~ **[and]** or ~~←H~~

464 (iii) notify the department that there are wild cervids inside a domestic elk farm or elk
465 ranch;

466 (b) fails to present animals for identification at the request of the department or allow
467 the department to have access to facility records; or

468 (c) violates the import requirements ~~[of]~~ described in Section 4-39-303.

469 (2) The department may deny, revoke, or suspend a license to operate a domestic elk
470 facility if, after delivery of notice and an opportunity to correct, the licensee or applicant:

471 (a) provides:

472 (i) an unfinished application or incorrect application information; or

473 (ii) incorrect records or fails to maintain required records;

474 (b) fails to:

475 (i) notify the department of movement of elk onto or off of the facility;

476 (ii) identify elk as required;

477 (iii) notify the department concerning an escape of an animal from a domestic elk
478 facility;

479 (iv) maintain a perimeter fence that prevents escape of domestic elk or ingress of wild
480 cervids into the facility;

481 (v) participate with the department in a cooperative wild cervid removal program;

482 (vi) submit chronic wasting disease test samples for at least 90% of mortalities over 12
483 months old; or

484 (vii) have the minimum proper equipment necessary to safely and humanely handle
485 animals in the facility;

486 (c) moves imported elk onto a facility without getting a Certificate of Veterinary
487 Inspection that has an import permit number from the department;

488 (d) imports animals that are prohibited or controlled by the division; or

489 (e) handles animals in a manner that violates acceptable animal husbandry practices.

490 Section 16. Section **4-46-301** is amended to read:

491 **4-46-301. LeRay McAllister Working Farm and Ranch Fund.**

492 (1) There is created a restricted account within the General Fund entitled the " LeRay