

Relating to Animal Identification Program Records

This Act provides that records relating to premises and animal identification must remain open with the exclusion of the following:

- Any information collected, created, or maintained by the state veterinarian or the state stockmen's association regarding premises or animal identification;
- The name and address of the owner of the premises or of any animals identified under the Act;
- The name and address of the lessee of any premises or of any animals identified under the Act.

The Act directs that the state veterinarian may not release any information designated as confidential with the exceptions of:

- Written consent of every person identified or identifiable by the information;
- In accordance with federal law for the purpose of a national animal identification program;
- To any state or federal agency for the purposes of disease control and animal disease trace-back;
- To the attorney general and any other law enforcement agency pursuing a criminal investigation; or
- Pursuant to an order issued by a court.

This Act does not prevent the exchange of information between the state veterinarian and the stockmen's association in the state.

Submitted as:
North Dakota
HB 1448
Status: Enacted into law in 2005.

Suggested State Legislation

(Title, enacting clause, etc.)

1 Section 1. [*Short Title*.] This Act may be cited as "An Act Relating to Animal
2 Identification Program Records."

3
4 Section 2. [*Premises and Animal Identification Program - Open Records - Exception*.]

5 1. Except as provided in subsection 2, the following information is confidential and not
6 subject to the open records requirements of [insert citation]:

7 a. Any information created, collected, or maintained by the [state veterinarian] or
8 the [state stockmen's association] regarding premises or animal identification;

9 b. The name and address of the owner of the premises or of any animals identified
10 under this Act; and

11 c. The name and address of the lessee of any premises or of any animals identified
12 under this Act.

13 2. The [state veterinarian] may not release any information designated as confidential
14 under subsection 1 except:

15 a. Upon the written consent of every person identified or identifiable by the
16 information;

17 b. In accordance with federal law for the purpose of a national animal
18 identification program;
19 c. To any state or federal agency for the purposes of animal disease control and
20 animal disease traceback;
21 d. To the [attorney general] and any other law enforcement agency pursuing a
22 criminal investigation; or
23 e. Pursuant to an order issued by a court upon a showing of good cause.
24 3. This section does not preclude the exchange of information between the [state
25 veterinarian] and the [state stockmen’s association].
26 4. A violation of this section is subject to [insert citation].
27
28 Section 3. [*Severability.*] [Insert severability clause.]
29
30 Section 4. [*Repealer.*] [Insert repealer clause.]
31
32 Section 5. [*Effective Date.*] [Insert effective date.]