

Fifty-eighth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2201

Introduced by

Senators Klein, Erbele, Nichols

Representatives DeKrey, Froelich

1 A BILL for an Act to create and enact a new section to chapter 36-15 of the North Dakota
2 Century Code, relating to waivers of requirements for calfhood vaccination against brucellosis;
3 and to amend and reenact section 36-15-21 of the North Dakota Century Code, relating to
4 requirements for calfhood vaccination against brucellosis.

5 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

6 **SECTION 1. AMENDMENT.** Section 36-15-21 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **36-15-21. Calfhood vaccination against brucellosis required - Penalty.**

- 9 1. No A person may not bring into this state or receive from outside this state any
10 female cattle over the maximum vaccination age as prescribed in the brucellosis
11 eradication uniform methods and rules approved and published by the United
12 States department of agriculture, agriculture's animal and plant health inspection
13 service, that have not been unless the cattle have been officially calfhood
14 vaccinated against brucellosis. Female or a waiver has been granted by the board
15 in accordance with section 2 of this Act. This subsection does not apply if the
16 cattle originating originate from a free states that do state, a United States
17 possession, or a Canadian province or territory, which does not require place
18 requirements on North Dakota-origin female cattle to be regarding calfhood
19 brucellosis vaccinated are exempt from the requirements of this section
20 vaccinations or brucellosis testing before entry.
- 21 2. A person who brings female cattle into this state from other a reciprocating free
22 states that reciprocate state, United States possession, or Canadian province or
23 territory shall prove that the cattle were located in that state, possession, province,
24 or territory for a period of at least sixty days. "Officially calfhood vaccinated"

- 1 3. For purposes of this section, "officially calfhood vaccinated" means a ~~bovine~~
2 female ~~animal~~ bovine vaccinated against brucellosis ~~under the supervision of a~~
3 ~~federal or state veterinary official or an accredited veterinarian within age limits~~
4 ~~prescribed by the board in compliance with~~ as prescribed in the brucellosis
5 eradication uniform methods and rules approved by the United States department
6 of agriculture uniform methods and rules, with a vaccine approved by the North
7 Dakota state veterinarian, and permanently identified as such a vaccinee and
8 reported at the time of vaccination to the appropriate state or federal agency
9 cooperating in the eradication of brucellosis. However, the board may grant an
10 ~~exception to the provisions of this section. An appeal may be taken from the~~
11 ~~decision of the board under the provisions of chapter 28-32. Any person who~~
12 ~~brings into this state, or acquires within this state, any cattle contrary to the~~
13 ~~provisions of this section~~ agriculture's animal and plant health inspection service.
14 4. In addition to other penalties provided in this chapter, a person who violates this
15 section is guilty of a class A misdemeanor.

16 **SECTION 2.** A new section to chapter 36-15 of the North Dakota Century Code is
17 created and enacted as follows:

18 **Calfhood vaccination against brucellosis - Waiver of requirements.**

- 19 1. The board may waive the requirement set forth in section 36-15-21 if the person
20 requesting the waiver obtains a form from the state veterinarian and submits the
21 completed form to the board.
22 2. As a condition of granting the waiver, the board may require disease testing,
23 vaccination, quarantine, and reporting, as well as any other actions the board
24 determines necessary to protect the health and safety of domestic animals or
25 nontraditional livestock.
26 3. If the board does not grant the application for waiver within one hundred twenty
27 days from the date the application is received by the board, the application is
28 deemed denied.
29 4. Any person aggrieved by a decision of the board has the right to receive an
30 administrative hearing if the person files a written request for a hearing with the
31 board within ten days from the date on which the board's determination regarding

- 1 the waiver is received by the applicant or, if no response is received by the
- 2 applicant, within ten days from the date the application is deemed denied under
- 3 this section.