

Sixtieth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2386

Introduced by

Senators Seymour, Lindaas, Mathern

Representative Griffin

1 A BILL for an Act to create and enact two new sections to chapter 36-01 of the North Dakota
2 Century Code, relating to administration of the animal identification program by the state board
3 of animal health; and to repeal sections 36-09-25 and 36-09-28 of the North Dakota Century
4 Code, relating to administration of the animal identification program by the North Dakota
5 stockmen's association.

6 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

7 **SECTION 1.** A new section to chapter 36-01 of the North Dakota Century Code is
8 created and enacted as follows:

9 **Animal identification program - Administration.** The board shall serve as the state's
10 administrator and allocator of any federally sponsored animal identification program. The board
11 may contract with any person for services regarding that portion of the program which pertains
12 to cattle, horses, and mules.

13 **SECTION 2.** A new section to chapter 36-01 of the North Dakota Century Code is
14 created and enacted as follows:

15 **Premises and animal identification program - Open records - Exception.**

16 1. Except as provided in subsection 2, the following information is confidential and not
17 subject to the open records requirements of section 44-04-18:

18 a. Any information created, collected, or maintained by the board, the state
19 veterinarian, or persons under contract with the board regarding premises or
20 animal identification;

21 b. The name and address of the owner of the premises or of any animals
22 identified under this section; and

23 c. The name and address of the lessee of any premises or of any animals
24 identified under this section.

- 1 2. Neither the board nor the state veterinarian may release any information
- 2 designated as confidential under subsection 1 except:
- 3 a. Upon the written consent of every person identified or identifiable by the
- 4 information;
- 5 b. In accordance with federal law for the purpose of a national animal
- 6 identification program;
- 7 c. To any state or federal agency for the purposes of animal disease control and
- 8 animal disease traceback;
- 9 d. To the attorney general and any other law enforcement agency pursuing a
- 10 criminal investigation; or
- 11 e. Pursuant to an order issued by a court upon a showing of good cause.
- 12 3. This section does not preclude the exchange of information among the board, the
- 13 state veterinarian, and any person under contract with the board.
- 14 4. A violation of this section is subject to the remedies provided under section
- 15 44-04-21.2. For purposes of applying section 44-04-21.2, "public entity" includes
- 16 any person that has contracted with the board for the provision of services related
- 17 to the premises or animal identification program.

18 **SECTION 3. REPEAL.** Sections 36-09-25 and 36-09-28 of the North Dakota Century
19 Code are repealed.