

**HOUSE BILL NO. 1230**

Introduced by

Representatives D. Anderson, Hauck, Nelson

Senator Cory

1 A BILL for an Act to amend and reenact section 36-01-36 of the North Dakota Century Code,  
2 relating to the administration of a federally sponsored animal identification program by the state  
3 veterinarian; and to repeal sections 4.1-72-05 and 4.1-72-06 of the North Dakota Century Code,  
4 relating the administration of a federally sponsored animal identification program and records  
5 relating to the program.

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

7 **SECTION 1. AMENDMENT.** Section 36-01-36 of the North Dakota Century Code is  
8 amended and reenacted as follows:

9 **36-01-36. Federally sponsored animal identification program - Premises**

10 **identification, animal identification, and animal tracking - Open records - Exception.**

11 1. The state veterinarian shall serve as the state's administrator and allocator for any  
12 federally sponsored animal identification program pertaining to cattle, horses, and  
13 mules.

14 2. The board shall maintain the confidentiality of information created, collected, or  
15 maintained by the state veterinarian for purposes of premises identification, animal  
16 identification, or animal tracking, including the name and address of the owner or  
17 lessee of the property where an animal is found, ~~is located~~.

18 ~~2-3.~~ The information described in subsection ~~4~~2 is not subject to section 44-04-18 and may  
19 not be disclosed unless:

- 20 a. Every individual who is the subject of the information provides written consent to  
21 the release of information;
- 22 b. The disclosure is authorized pursuant to federal law;
- 23 c. The disclosure is necessary to provide a state or federal agency with information  
24 to assist in animal disease control or tracing an animal disease;

- 1           d. The disclosure is to the attorney general or to law enforcement to assist in a  
2           criminal investigation; or  
3           e. A court of competent jurisdiction orders the disclosure; ~~or~~  
4           f. ~~The disclosure is to provide the North Dakota stockmen's association with~~  
5           ~~information pursuant to section 4.1-72-05.~~  
6       3.4. A person violating this section is subject to the remedies set forth in section  
7           44-04-21.2. For purposes of applying section 44-04-21.2, "public entity" includes any  
8           person that has contracted with the state for the provision of services related to a  
9           premises identification, animal identification, or animal tracking database program.  
10       **SECTION 2. REPEAL.** Sections 4.1-72-05 and 4.1-72-06 of the North Dakota Century  
11       Code are repealed.