

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

471Q0368

HOUSE AGRICULTURE AND NATURAL RESOURCES

ENGROSSED NO. **HB 1224** - 2/12/2009

Introduced by: Representatives Russell, Brunner, Hoffman, Killer, Kirkeby, Lucas, Olson (Betty), Schrempp, Sly, Van Gerpen, and Verchio and Senators Howie, Bradford, Maher, and Rhoden

1 FOR AN ACT ENTITLED, An Act to place certain restrictions on state participation in a
2 national animal identification system.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 40-3 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 No officer, agency, or instrumentality of the State of South Dakota, in conjunction with the
7 implementation of any national animal identification system, may:

- 8 (1) Mandate, coerce, use exclusionary tactics, or otherwise force participation in the
9 national animal identification system;
- 10 (2) Register premises (real property), assign premises identification numbers, or
11 otherwise enroll any person in the national animal identification system without the
12 person's prior knowledge and consent;
- 13 (3) Withhold, from any person, indemnity based on the person's status of participation
14 in the national animal identification system; or



1 (4) Deny, revoke, or limit services, certificates, licenses, permits, grants, or other benefits
2 or incentives to any person based on the person's status of participation in the
3 national animal identification system.

4 Section 2. That chapter 40-3 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 Nothing in this Act prohibits:

- 7 (1) The State of South Dakota from establishing or participating in disease control
8 programs specifically designed to address a specific disease in a specific species of
9 livestock;
- 10 (2) Private agricultural industry organizations from establishing any source verification
11 program;
- 12 (3) The State of South Dakota or any person from participating in the South Dakota
13 Certified Beef Program established pursuant to chapter 39-24;
- 14 (4) Any person from voluntarily participating in the national animal identification
15 system.