

# State of South Dakota

EIGHTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 2009

471Q0368

## HOUSE BILL NO. 1224

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 program authorized by the provisions of §§ 40-3-27 to 29, inclusive, or  
8 the implementation of any national animal identification system, may:

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



1 in the program or the national animal identification system; or

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

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

7 Nothing in this Act prohibits:

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