

Fifty-ninth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1448

Introduced by

Representatives Kempenich, Froelich, Nicholas

Senators Bowman, Flakoll, Taylor

1 A BILL for an Act to create and enact a new section to chapter 36-09 of the North Dakota
2 Century Code, relating to animal identification program records.

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

4 **SECTION 1.** A new section to chapter 36-09 of the North Dakota Century Code is
5 created and enacted as follows:

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

- 7 1. Except as provided in subsection 2, the following information is confidential and
8 not subject to the open records requirements of section 44-04-18:
- 9 a. Any information created, collected, or maintained by the state veterinarian or
10 the North Dakota stockmen's association regarding premises or animal
11 identification;
 - 12 b. The name and address of the owner of the premises or of any animals
13 identified under this section; and
 - 14 c. The name and address of the lessee of any premises or of any animals
15 identified under this section.
- 16 2. The state veterinarian may not release any information designated as confidential
17 under subsection 1 except:
- 18 a. Upon the written consent of every person identified or identifiable by the
19 information;
 - 20 b. In accordance with federal law for the purpose of a national animal
21 identification program;
 - 22 c. To any state or federal agency for the purposes of animal disease control and
23 animal disease traceback;

- 1 d. To the attorney general and any other law enforcement agency pursuing a
2 criminal investigation; or
- 3 e. Pursuant to an order issued by a court upon a showing of good cause.
- 4 3. This section does not preclude the exchange of information between the state
5 veterinarian and the North Dakota stockmen's association.
- 6 4. A violation of this section is subject to section 44-04-21.2. For purposes of
7 applying section 44-04-21.2, "public entity" includes any person that has
8 contracted with the state for the provision of services related to the premises or
9 animal identification program.