Registering Livestock Premises

This Act generally requires anyone who keeps any livestock, regardless of number, to register the premises where the livestock are kept with the state Department of Agriculture, Trade and Consumer Protection (DATCP). The Act defines "livestock" as bovine animals, equine animals, goats, poultry, sheep, swine, farm-raised deer, and any other animal that the DATCP identifies by rule. Registrants must provide their name and business address, the location where the registrant keeps livestock, the type of livestock, and the type of livestock operation.

Under the Act, the DATCP assigns and maintains a code to each location which complies with U.S. Department of Agriculture standards. The Act specifies that in general, registrant information is not a public record subject to disclosure under the open records law.

Submitted as:
Wisconsin
2003 Act 229
Status: Enacted into law in 2004.

Suggested State Legislation

(Title, enacting clause, etc.)

1   Section 1. [*Short Title.*] This Act may be cited as "An Act Concerning Registration of
2   Livestock Premises."
3
4   Section 2. [*Definition.*] As used in this Act:
5   (a) "Livestock" means bovine animals, equine animals, goats, poultry, sheep, swine,
6   farm-raised deer, and any other kind of animal that the [department] identifies by rule for the
7   purposes of this Act.
8   (b) "Department" means [Department of Agriculture, Trade and Consumer Protection.]
9
10   Section 3. [*Livestock Premises Registration.*]
11   (a) A person shall register under par. (c) on a form provided by the [department] and
12   shall provide all of the following information:
13   1. The registrant's legal name and any trade names under which the registrant
14   keeps livestock in this state.
15   2. The registrant's business address.
16   3. The address of each location at which the registrant keeps livestock in this
17   state.
18   4. The type of livestock kept at each location under subsection 3 of this section
19   and the type of livestock operation, using standards and guidelines from the national animal
20   identification plan developed by the animal and plant health inspection service of the federal
21   department of agriculture, to the extent practicable.
22   (b) Except as provided under subsection (d) of this section, no person may do any of the
23   following at a location in this state unless that person registers that location with the
24   [department]:
25   1. Keep any bovine animals, equine animals, goats, sheep, swine, poultry, or
26   farm-raised deer.

27   2. Keep any other kind of livestock that the [department] identifies by rule.

28   (c) A person to whom this section applies may comply with this section as part of the

29 registration process under [insert citation] or the licensing process under [insert citation].

30   (d) The [department] may promulgate rules specifying exemptions from subsection (a) of

31 this section, including exemptions based on the number or type of livestock kept by a person or

32 on the type of locations where a person keeps livestock.

33

34   Section 4. [*Premises Code.*]

35   (a) The [department] shall assign a unique identification code to each location registered

36 under Section 3 (a) of this Act.

37   (b) The [department] shall use a uniform system to assign codes that is reasonably

38 designed to facilitate animal health and disease control, interstate consistency, and interstate

39 commerce. The [department] shall use a system that complies with any applicable standards

40 established by the animal and plant health inspection service of the federal department of

41 agriculture. The [department] shall use premises codes that are federally allocated for premises in

42 this state.

43   (c) The [department] shall establish and maintain an electronic data base related to

44 livestock premises in this state. The [department] shall include in the data base the premises code

45 assigned to each location under par. (a) and the registration information under this section that is

46 associated with that premises code. The [department] may include in the data base global

47 positioning system coordinates and other information that the [department] considers

48 appropriate.

49

50   Section 5. [*Confidentiality.*]

51   (a) Information that a person is required to provide to the [department] under Section 3 of

52 this Act is not subject to public inspection under [insert citation]. Except as provided in pars. (b)

53 and (c) of this section, the [department] may not disclose information provided under Section 3

54 of this Act to any other person or agency.

55   (b) Paragraph (a) does not apply to information that a person is required to provide to the

56 [department] under other laws.

57   (c) The [department] may disclose information that a registrant provides under Section 3

58 of this Act to any of the following:

59   1. A person to whom the registrant authorizes disclosure.

60   2. The animal and plant health inspection service of the federal department of

61 agriculture, if the animal and plant health inspection service agrees not to disclose the

62 information except in situations in which the [department] is authorized to disclose the

63 information under subdivision 1 or 4 of paragraph (c).

64   3. Any agent of the [department] under Section 8 of this Act.

65   4. Another person or agency if the [department] believes that the release is

66 necessary to prevent or control disease or to protect public health, safety, or welfare. The

67 [department] may disclose information under this subdivision subject to any confidentiality

68 requirements that the [department] determines are appropriate under the circumstances.

69   (d) Any agent of the [department] under Section 8 of this Act may not disclose

70 information provided under Section 3 of this Act except to a person to whom the registrant or the

71 [department] authorizes disclosure.

72

73   Section 6. [*Funding.*] The [department] shall seek federal funding for the administration

74 of this section.

75

76   Section 7. [*Rules.*] The [department] may promulgate rules for the administration of this
77   section. The [department] shall promulgate rules to govern the release of aggregate information
78   under this section by the [department].
79
80   Section 8. [*Contract Agent.*] The [department] may contract with an agent to administer
81   the registration program under this section on behalf of the [department]. The [department] may
82   not authorize an agent to release aggregate information under this section.
83
84   Section 9. [*Nonstatutory Provisions: Funding Proposal.*] The [state department of
85   agriculture, trade and consumer protection] shall include in its budget request under [insert
86   citation] for the [2005−07 biennial] budget bill a proposal for funding the program, as created by
87   this Act.
88
89   Section 10. [*Severability.*] [Insert severability clause.]
90
91   Section 11. [*Repealer.*] [Insert repealer clause.]
92
93   Section 12. [*Effective Date.*] [Insert effective date.]