

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 591

BY WAYS AND MEANS COMMITTEE

AN ACT

RELATING TO CERVIDAE; AMENDING CHAPTER 37, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-3705C, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE FOR FENCING WHEN UNDER QUARANTINE, TO PROVIDE FOR HARVEST DURING QUARANTINE, TO PROVIDE FOR THE APPLICATION OF QUARANTINE, AND TO PROVIDE FOR THE MOVEMENT OF ANIMALS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Chapter 37, Title 25, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 25-3705C, Idaho Code, and to read as follows:

25-3705C. QUARANTINE -- FENCING -- TISSUE SAMPLES. (1) For purposes of this chapter:

(a) "Commingled" or "commingling" means animals that have direct contact with each other; have less than ten (10) feet of physical separation; or share equipment, pasture, or water sources or a watershed. Animals are considered to have commingled if they have had such contact with a CWD-positive animal or contaminated premises within the last five (5) years.

(b) "CWD" means chronic wasting disease.

(c) "CWD-exposed animal" means an animal that is part of a CWD-positive herd or that has been exposed to a CWD-positive animal or contaminated premises within the previous five (5) years.

(d) "CWD-exposed herd" means a herd in which a CWD-positive animal has resided within five (5) years prior to that animal's diagnosis of CWD, as determined by an animal and plant health inspection service (APHIS) employee or state representative.

(e) "CWD-positive animal" means an animal that has had a diagnosis of CWD established through official confirmatory CWD testing conducted by the national veterinary services laboratories (NVSL).

(f) "CWD-positive herd" means a herd in which a CWD-positive animal resided at the time it was diagnosed, which animal has not been released from quarantine.

(g) "CWD-suspect animal" means an animal for which an APHIS employee or state representative has determined that unofficial CWD test results, laboratory evidence, or clinical signs suggest a diagnosis of CWD, but for which official laboratory results have been inconclusive or not yet conducted.

(h) "Limited contact" means any brief, incidental contact between cervids from different herds, including contact that occurs in sale or show rings; alleyways at fairs; and livestock auctions, sales, shows, and exhibitions. Limited contact does not include penned animals hav-

1 ing less than ten (10) feet of physical separation or contact through a  
2 fence or any activity where uninhibited contact occurs, such as shar-  
3 ing an enclosure; sharing a section of a transport vehicle; sharing  
4 equipment, food, or water sources; or contact with bodily fluids or ex-  
5 crement.

6 (2) Any cervidae farm or cervidae ranch that is under quarantine due  
7 to the presence of CWD-positive, CWD-suspect, or CWD-exposed herds or ani-  
8 mals shall have perimeter fencing adequate to prevent ingress or egress of  
9 cervids.

10 (a) Fencing shall be:

11 (i) Structurally sound;

12 (ii) Maintained in good repair;

13 (iii) Of sufficient construction to contain the animals; and

14 (iv) A minimum of eight (8) feet high.

15 (b) Single fences shall be acceptable to meet the requirements of this  
16 subsection.

17 (3) When harvest occurs during a period of quarantine, tissue samples  
18 as defined by administrative rule shall be taken and submitted by the owner  
19 or operator of the domestic cervidae farm or ranch to approved laboratories  
20 to be tested or examined for CWD. The carcass or parts of the carcass may be  
21 transported to an in-state processor or taxidermist. The meat from the car-  
22 cass with the brain tissue and spinal cord removed may be transported with-  
23 out restriction. If processed at the farm or ranch, the brain tissue and  
24 spinal cord shall be removed and disposed of in compliance with administra-  
25 tive rules adopted by the department under this chapter. If a harvested an-  
26 imal tests positive for CWD, the person or persons in possession of the meat  
27 shall immediately be notified and the meat shall be disposed of in accordance  
28 with administrative rules adopted by the department under this chapter.

29 (4) A quarantine shall be applied to all CWD-exposed, CWD-suspect, and  
30 CWD-positive herds and animals following an epidemiological investigation  
31 that confirms such status as defined in this section.

32 (5) A multi-facility ranch under quarantine may move animals from one  
33 facility to another facility owned by the same entity for the purpose of har-  
34 vest with the approval of the director of the Idaho state department of agri-  
35 culture.

36 SECTION 2. An emergency existing therefor, which emergency is hereby  
37 declared to exist, this act shall be in full force and effect on and after  
38 July 1, 2024.