

HOUSE BILL 978

By Niceley

AN ACT to amend Tennessee Code Annotated, Title 44,
Chapter 7, relative to animal identification.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

WHEREAS, This state has entered into agreements with the federal government of the United States, and otherwise may have participated in establishing a National Animal Identification System (NAIS); and

WHEREAS, Neither the United States Department of Agriculture nor the Tennessee Department of Agricultural has demonstrated any scientific findings that the NAIS will prevent the spread of diseases of animal origin to humans or to other animals, or will benefit animal or public health; and

WHEREAS, Sustainable animal husbandry practices, which include adequate space, appropriate feed, and access to pasture, fresh air and sunlight are important in promoting animal health and thus preventing the spread of diseases of animal origin; and

WHEREAS, The establishment of NAIS is detrimental to small and sustainable animal husbandry farming operations, individual ownership and raising of livestock, and the citizens of this state; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 44, Chapter 7, is amended by adding the following as a new, appropriately designated part:

Section 44-7-501. The state department of agriculture shall withdraw any pending application for United States Department of Agriculture NAIS cooperative agreement funding for fiscal year 2006-2007; or, in the event that the USDA already has granted funding and a Cooperative Agreement for fiscal year 2006-2007 already has

been executed, the state department of agriculture shall return any such funding to the USDA and rescind any existing Cooperative Agreement for fiscal year 2006-2007.

Section 44-7-502 The state department of agriculture shall immediately cease sending data on Tennessee's citizens and animal premises to the USDA National Premises Information Repository.

Section 44-7-503. The state department of agriculture shall:

(1) Immediately notify all citizens whose premises information previously has been submitted to the USDA National Premises Information Repository without their specific authorization; and

(2) Develop a procedure with the USDA whereby such Tennessee data will be expunged from the USDA National Premises Information Repository.

Section 44-7-504.

(a) Except as provided in subsection (b) of this section, unless specifically authorized by law, the state department of agriculture shall not establish or participate in:

(1) Any program of livestock animal identification; or

(2) Any program of registration of premises on which livestock is held.

(b) Subsection (a) of this section shall not apply to any program for the control of the following diseases, to the extent of Tennessee's participation in the program on the effective date of this act:

(1) Tuberculosis;

(2) Brucellosis;

(3) Johnes' Disease;

(4) Pseudorabies;

(5) Equine Infectious Anemia; and

(6) Transmissible spongiform encephalopathies (TSE's), including bovine spongiform encephalopathy, scrapie, and chronic easting disease.

Section 44-7-505. No person or governmental entity shall condition a service, benefit, license, payment, or permit on participation in the NAIS or any substantially similar federal, state, or private program.

SECTION 2. This act shall take effect July 1, 2007, the public welfare requiring it.