

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 536

BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

1 RELATING TO CERVIDAE; AMENDING CHAPTER 37, TITLE 25, IDAHO CODE, BY THE ADDI-
2 TION OF A NEW SECTION 25-3705C, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE
3 FOR FENCING WHEN UNDER QUARANTINE, TO PROVIDE FOR HUNTING OR SLAUGHTER
4 DURING QUARANTINE, TO PROVIDE FOR THE LIFTING OF QUARANTINE, AND TO PRO-
5 VIDE FOR THE MOVEMENT OF ANIMALS; AND DECLARING AN EMERGENCY AND PROVID-
6 ING AN EFFECTIVE DATE.
7

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

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

12 25-3705C. QUARANTINE -- FENCING -- BRAIN TISSUE SAMPLES. (1) For pur-
13 poses of this chapter:

14 (a) "Commingle" means maintaining animals in a manner in which physical
15 contact among animals could occur.

16 (i) "Commingle" includes maintaining animals in the same pasture
17 or enclosure.

18 (ii) "Commingle" does not include holding animals at a sale, dur-
19 ing transportation, during artificial insemination, or in other
20 circumstances involving limited contact among animals for a short
21 period of time.

22 (b) "CWD" means chronic wasting disease.

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

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

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

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

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

41 (2) Any cervidae farm or cervidae ranch that is under quarantine due
42 to the presence of CWD-positive, CWD-suspect, or CWD-exposed herds or ani-

1 mals shall have perimeter fencing adequate to prevent ingress or egress of
2 cervids. Fencing shall be:

- 3 (a) Structurally sound;
- 4 (b) Maintained in good repair;
- 5 (c) Of sufficient construction to contain the animals; and
- 6 (d) Be a minimum of eight (8) feet high.

7 (3) When hunting or slaughter occurs during a period of quarantine,
8 brain tissue samples shall be taken and submitted by the owner or operator
9 of the domestic cervidae farm or ranch to official laboratories to be tested
10 or examined for CWD. The carcass or parts of the carcass may be transported
11 to an in-state processor or taxidermist. The meat from the carcass with the
12 brain tissue and spinal cord removed may be transported without restriction.
13 If processed on the ranch, the brain tissue and spinal cord shall be removed
14 and disposed of in compliance with IDAPA 02.04.17. If a harvested animal
15 tests positive for CWD, the person or persons in possession of the meat shall
16 immediately be notified and the meat shall be disposed of in accordance with
17 IDAPA 02.04.17.

18 (4) A quarantine of a domesticated elk facility shall not continue if an
19 animal disease traceability investigation finds that:

- 20 (a) A suspect domesticated elk was not commingled with a domesticated
21 elk that tested positive for a disease-spreading pathogen in the sixty
22 (60) months before the day on which the state veterinarian begins the
23 investigation; or
- 24 (b) No CWD-suspect animal resides at the domesticated elk facility.

25 (5) A multifacility ranch under quarantine may move animals from one
26 facility to another facility owned by the same entity for the purpose of har-
27 vest.

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