

## **Disease Testing; Poultry Improvement Plan and Domesticated Deer; Sub. for SB 57**

**Sub. for SB 57** creates new law regarding penalties and testing for chronic wasting disease. The bill also amends the law regarding the National Poultry Improvement Plan and domesticated deer.

The bill requires all tests for chronic wasting disease to be conducted in laboratories in a method approved by the U.S. Department of Agriculture's (USDA) Animal Plant Health Inspection Service.

The bill eliminates previous provisions of law that named the Kansas Poultry Improvement Association the designated official state agency for the purpose of carrying out the National Poultry Improvement Plan. In its place, the bill grants this authority to the Kansas Department of Agriculture (KDA).

Regarding domesticated deer, the bill amends prior law to state it is unlawful for any person to "possess" domesticated deer, rather than "engage in the business of raising" domesticated deer, without a permit issued by the Animal Health Commissioner. The fee cap for the permit increases from \$150 to \$400. Failure to obtain a permit results in a class C nonperson misdemeanor and, upon conviction, punishable by a fine not exceeding \$1,000 (increased from the prior fine of up to \$150). The bill imposes a civil fine of up to \$1,000 for each violation of Article 21 of Chapter 47 of the *Kansas Statutes Annotated* (domesticated deer), as determined by the Animal Health Commissioner.

The Animal Health Commissioner, or the Commissioner's representatives, could inspect any premises that are issued a domesticated deer permit and the premises' records, but not more than once each year. Upon discovery of a violation of the law dealing with domesticated deer or upon complaint that the deer premises are not being operated, managed or maintained in accordance with appropriate rules and regulations, the Commissioner, or the Commissioner's representatives, could inspect premises and records more often than once per year. Unlicensed premises also could be inspected when the Commissioner has reasonable grounds to believe a person is violating the section of law requiring those possessing domesticated deer to obtain a domesticated deer permit. Additionally, on an annual basis (rather than the prior quarterly basis), the Commissioner would be required to transmit a current list of persons issued a domesticated deer permit to the Secretary of Wildlife, Parks and Tourism (KDWP). The KDA could request assistance from KDWP to implement and enforce the domesticated deer laws.

The Animal Health Commissioner is granted additional authority to adopt rules and regulations. This new authority to promulgate rules and regulations to enforce the provisions of the law dealing with domesticated deer and to ensure compliance with federal requirements and protect domestic animals and wildlife from disease risks related to domestic deer production.

The bill repeals outdated or unnecessary statutes in Chapter 47 (livestock and domestic animals) of the *Kansas Statutes Annotated*. In addition, one section of law regarding stockyards is amended to make it clear that the Animal Health Commissioner or the Commissioner's designee is to work in conjunction with the federal government to prohibit or prevent contagious animal diseases.