

This Document can be made available in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 1406

02/22/2021

Authored by Becker-Finn

The bill was read for the first time and referred to the Committee on Agriculture Finance and Policy

1.1 A bill for an act  
1.2 relating to agriculture; modifying provisions pertaining to the escape of farmed  
1.3 Cervidae; modifying identification requirements for farmed Cervidae; amending  
1.4 Minnesota Statutes 2020, section 35.155, subdivisions 1, 6.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2020, section 35.155, subdivision 1, is amended to read:

1.7 Subdivision 1. **Running at large prohibited.** (a) An owner may not allow farmed  
1.8 Cervidae to run at large. The owner must make all reasonable efforts to return escaped  
1.9 farmed Cervidae to their enclosures as soon as possible. The owner must immediately notify  
1.10 the commissioner of natural resources of the escape of farmed Cervidae ~~if the farmed~~  
1.11 ~~Cervidae are not returned or captured by the owner within 24 hours of their escape.~~

1.12 (b) An owner is liable for expenses of another person in capturing, caring for, and  
1.13 returning farmed Cervidae that have left their enclosures if the person capturing the farmed  
1.14 Cervidae contacts the owner as soon as possible.

1.15 (c) ~~If an owner is unwilling or unable to capture escaped farmed Cervidae, The~~  
1.16 ~~commissioner of natural resources may destroy the escaped farmed Cervidae. The~~  
1.17 ~~commissioner of natural resources must allow the owner to attempt to capture the escaped~~  
1.18 ~~farmed Cervidae prior to destroying the farmed Cervidae. Farmed Cervidae that are not~~  
1.19 ~~captured by 24 hours after escape may be destroyed.~~

1.20 (d) A hunter licensed by the commissioner of natural resources under chapter 97A may  
1.21 kill and possess escaped farmed Cervidae in a lawful manner and is not liable to the owner  
1.22 for the loss of the animal.

2.1 (e) Escaped farmed Cervidae killed by a hunter or destroyed by the commissioner of  
2.2 natural resources must be tested for chronic wasting disease at the owner's expense.

2.3 Sec. 2. Minnesota Statutes 2020, section 35.155, subdivision 6, is amended to read:

2.4 Subd. 6. **Identification.** (a) Farmed Cervidae must be identified by means approved by  
2.5 the Board of Animal Health. The identification must include a distinct number that has not  
2.6 been used during the previous three years and either incorporate global positioning system  
2.7 technology or include a phone number, address, or other contact information that enables  
2.8 the reader to readily identify the owner of escaped farmed Cervidae. Identification must be  
2.9 visible to the naked eye during daylight under normal conditions at a distance of 50 yards.  
2.10 White-tailed deer must be identified before October 31 of the year in which the animal is  
2.11 born, at the time of weaning, or before movement from the premises, whichever occurs  
2.12 first. Elk and other cervids must be identified by December 31 of the year in which the  
2.13 animal is born or before movement from the premises, whichever occurs first. As coordinated  
2.14 by the board, the commissioner of natural resources may destroy any animal that is not  
2.15 identified as required under this subdivision.

2.16 (b) The Board of Animal Health shall register farmed Cervidae. The owner must submit  
2.17 the registration request on forms provided by the board. The forms must include sales  
2.18 receipts or other documentation of the origin of the Cervidae. The board must provide copies  
2.19 of the registration information to the commissioner of natural resources upon request. The  
2.20 owner must keep written records of the acquisition and disposition of registered farmed  
2.21 Cervidae.