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# Wisconsin Legislative Council

## ACT MEMO

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### 2019 Wisconsin Act 178 [2019 Senate Bill 737]

### Voluntary Individual Animal Identification Program

2019 Wisconsin Act 178 provides for the creation of an individual animal identification program and creates an open records exemption for records held under the program.

## ANIMAL IDENTIFICATION PROGRAM

The act requires the Department of Agriculture, Trade and Consumer Protection (DATCP) to establish a voluntary individual animal identification program. Under the program, a person with a livestock premises registration (generally required for any person keeping livestock) may obtain radio-frequency identification (RFID) tags for individual bovine animals, goats, sheep, swine, or farm-raised deer. An RFID tag must include a 15-digit animal identification number that is connected to the livestock premises identification code for the animal's premises of origin. The act requires DATCP to maintain a link to the U.S. Department of Agriculture's (USDA) list of authorized manufacturers of animal identification number devices on its website.

Under the act, DATCP may contract with an agent to collect and maintain individual animal identification information, which may include submission of the information to an existing state or federal database.

The act authorizes DATCP to promulgate rules to implement the act's provisions. DATCP may also amend rules promulgated pursuant to the act to adapt to future advances in animal identification technology. This may include substitution of RFID tags with another technology if RFID technology becomes obsolete.

## OPEN RECORDS EXEMPTION

The act provides that individual animal identification records held by DATCP or by an agent contracted by DATCP are generally not subject to copying or inspection under the Open Records Law. This parallels a provision in current law under [s. 95.51\(5\), Stats.](#), which generally exempts livestock premises registration information from the Open Records Law. As with the open records exemption for livestock premises registration, the act provides that individual animal identification records may be disclosed under certain circumstances. Specifically, the open records exemption does not apply to information that a person must provide to DATCP under other laws. Additionally, DATCP may disclose information to the following parties:

- A person who is authorized by the person who registered the livestock identification information with DATCP.
- An agent contracted by DATCP to administer the livestock premises registration program.
- Federal animal and plant health inspectors.
- Any other person or agency, provided DATCP believes that the release of information is necessary to prevent or control disease or to protect public health, safety, or welfare.

**Effective date:** March 4, 2020

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