
Wisconsin Legislative Council

AMENDMENT MEMO



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2019 Senate Bill 737

Senate Amendments 1 and 2

2019 SENATE BILL 737

2019 Senate Bill 737 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 RFID tags for individual bovine animals, goats, sheep, swine, or farm-raised deer. The RFID tags must include a 15-digit animal identification number that is connected to the livestock premises identification code for the animal's premises of origin. Additionally, the bill requires DATCP to maintain certain information about RFID tag retailers on its website. Under the bill, DATCP may also 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 bill authorizes DATCP to promulgate rules to implement the bill's provisions.

Senate Amendment 1

Senate Amendment 1 modifies the bill's requirement that DATCP provide certain information about RFID tag retailers on its website. Specifically, Senate Amendment 1 eliminates the bill's requirement that DATCP directly provide information about RFID tag retailers and instead requires the department to provide a link to the U.S. Department of Agriculture's (USDA) list of authorized manufacturers of animal identification number devices.

Senate Amendment 1 also provides that the department may amend rules it promulgates under the bill to adapt to future animal identification technology, including substitution of RFID tags with another technology if RFID technology becomes obsolete.

Senate Amendment 2

Senate Amendment 2 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, Senate Amendment 2 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 if DATCP believes that the release of information is necessary to prevent or control disease or to protect public health, safety, or welfare.

BILL HISTORY

Senator Jacque offered Senate Amendment 1 on February 4, 2020, and Senate Amendment 2 on February 6, 2020. On February 13, 2020, the Senate Committee on Agriculture, Revenue and Financial Institutions recommended adoption of each amendment by a vote of Ayes, 9; Noes, 0. The bill was then recommended for passage, as amended, by a vote of Ayes, 9; Noes, 0.

BK:ksm