

# House Amendment 1823

## Amendment Text

PAG LIN

1 1 Amend [House File 745](#) as follows:  
1 2 #1. By striking page 1, line 1, through page 5,  
1 3 line 31, and inserting the following:  
1 4 "FOOT AND MOUTH DISEASE  
1 5 Sec. \_\_\_\_ . NEW SECTION. 163.51 SECURITY MEASURES.  
1 6 1. The department may establish security measures  
1 7 in order to control outbreaks of foot and mouth  
1 8 disease in this state, including by providing for the  
1 9 prevention, suppression, and eradication of foot and  
1 10 mouth disease. In administering and enforcing this  
1 11 section, the department may adopt rules and shall  
1 12 issue orders in a manner consistent with sound  
1 13 veterinary principles and federal law for the control  
1 14 of outbreaks of the disease. The department may  
1 15 implement the security measures by doing any of the  
1 16 following:  
1 17 a. If the department determines that an animal is  
1 18 infected with or exposed to foot and mouth disease, or  
1 19 the department suspects that an animal is so infected  
1 20 or exposed, the department may provide for all of the  
1 21 following:  
1 22 (1) The quarantine, condemnation, or destruction  
1 23 of the animal. The department may establish  
1 24 quarantined areas and regulate activities in the  
1 25 quarantined areas, including movement or relocation of  
1 26 animals or other property within, into, or from the  
1 27 quarantined areas.  
1 28 (2) The inspection or examination of the animal's  
1 29 premises in order to perform an examination or test to  
1 30 determine whether the animal is or was infected or  
1 31 exposed or whether the premises is contaminated. The  
1 32 department may take a blood or tissue sample of any  
1 33 animal on the premises.  
1 34 (3) The compelling of a person who is the owner or  
1 35 custodian of the animal to provide information  
1 36 regarding the movement or relocation of the animal or  
1 37 the vaccination status of the animal or the herd where  
1 38 the animal originates. The department may issue a  
1 39 subpoena for relevant testimony or records as defined  
1 40 in section 516E.1. In the case of a failure or  
1 41 refusal of the person to provide testimony or records,  
1 42 the district court upon application of the department  
1 43 or the attorney general acting upon behalf of the  
1 44 department, may order the person to show cause why the  
1 45 person should not be held in contempt. The court may  
1 46 order the person to provide testimony or produce the  
1 47 record or be punished for contempt as if the person  
1 48 refused to testify before the court or disobeyed a  
1 49 subpoena issued by the court.  
1 50 b. The department may provide for the cleaning and  
2 1 disinfection of real or personal property, if the  
2 2 department determines that the property is  
2 3 contaminated with foot and mouth disease or suspects  
2 4 that the property is contaminated with foot and mouth  
2 5 disease.  
2 6 2. The department shall immediately notify the  
2 7 United States department of agriculture of a suspected

2 8 outbreak of foot and mouth disease.  
2 9 3. The department shall cooperate with federal  
2 10 agencies, including the United States department of  
2 11 agriculture, other state agencies and law enforcement  
2 12 entities, and agencies of other states. Other state  
2 13 agencies and law enforcement entities shall assist the  
2 14 department.  
2 15 4. Nothing in this section limits the department's  
2 16 authority to regulate animals or premises under other  
2 17 provisions of state law, including this chapter."  
2 18 #2. Title page, by striking lines 1 and 2, and  
2 19 inserting the following: "An Act regulating foot and  
2 20 mouth disease and providing an".  
2 21 #3. By renumbering as necessary.  
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2 23  
2 24 \_\_\_\_\_  
2 25 COMMITTEE ON [AGRICULTURE](#)  
2 26 KLEMME of Plymouth, Chairperson  
2 27 [HF 745.302](#) 79  
2 28 da/cf