

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 287

Introduced by Carlson, 38.

Read first time January 16, 2013

Committee: Agriculture

A BILL

1 FOR AN ACT relating to agriculture; to amend sections 71-4401,
2 71-4402, and 71-4403, Reissue Revised Statutes of
3 Nebraska; to provide for vaccination against rabies by
4 commercial dog breeders as prescribed; to harmonize
5 provisions; and to repeal the original sections.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 71-4401, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 71-4401 For purposes of sections 71-4401 to 71-4412,
4 unless the context otherwise requires:

5 (1) Domestic animal means any dog or cat, and cat means a
6 cat which is a household pet;

7 (2) Vaccination against rabies means the inoculation of a
8 domestic or hybrid animal with a rabies vaccine as approved by the
9 rules and regulations adopted and promulgated by the department. Such
10 vaccination shall be performed by a veterinarian duly licensed to
11 practice veterinary medicine in the State of Nebraska or by a
12 commercial dog breeder when performing vaccination of dogs owned by
13 the breeder under supervision of the attending veterinarian within a
14 veterinary care plan meeting the requirements of section 54-641.02;

15 (3) Compendium means the compendium of animal rabies
16 vaccine as provided by the National Association of State Public
17 Health Veterinarians;

18 (4) Commercial dog breeder means a commercial dog breeder
19 licensed pursuant to the Commercial Dog and Cat Operator Inspection
20 Act;

21 ~~(4)~~(5) Department means the Department of Health and
22 Human Services;

23 ~~(5)~~(6) Hybrid animal means any animal which is the
24 product of the breeding of a domestic dog with a nondomestic canine
25 species;

1 ~~(6)~~—(7) Own, unless otherwise specified, means to
2 possess, keep, harbor, or have control of, charge of, or custody of a
3 domestic or hybrid animal. This term does not apply to domestic or
4 hybrid animals owned by other persons which are temporarily
5 maintained on the premises of a veterinarian or kennel operator for a
6 period of not more than thirty days;

7 ~~(7)~~—(8) Owner means any person possessing, keeping,
8 harboring, or having charge or control of any domestic or hybrid
9 animal or permitting any domestic or hybrid animal to habitually be
10 or remain on or be lodged or fed within such person's house, yard, or
11 premises. This term does not apply to veterinarians or kennel
12 operators temporarily maintaining on their premises domestic or
13 hybrid animals owned by other persons for a period of not more than
14 thirty days; and

15 ~~(8)~~—(9) Rabies control authority means county, township,
16 city, or village health and law enforcement officials who shall
17 enforce sections 71-4401 to 71-4412 relating to the vaccination and
18 impoundment of domestic or hybrid animals. Such public officials are
19 not responsible for any accident or disease of a domestic or hybrid
20 animal resulting from the enforcement of such sections.

21 Sec. 2. Section 71-4402, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 71-4402 (1) Every domestic animal in the State of
24 Nebraska shall be vaccinated against rabies with a licensed vaccine
25 and revaccinated at intervals specified by rules and regulations

1 adopted and promulgated by the department. Young domestic animals
2 shall be initially vaccinated at the age specified in such rules and
3 regulations. Unvaccinated domestic animals acquired or moved into the
4 State of Nebraska shall be vaccinated within thirty days after
5 purchase or arrival unless under the age for initial vaccination.

6 (2) The rabies vaccine used to vaccinate domestic animals
7 pursuant to this section shall be sold only to licensed
8 veterinarians, except that a commercial dog breeder may acquire
9 rabies vaccine for use only on dogs owned by the commercial dog
10 breeder under supervision of the attending veterinarian within a
11 veterinary care plan meeting the requirements of section 54-641.02.

12 Sec. 3. Section 71-4403, Reissue Revised Statutes of
13 Nebraska, is amended to read:

14 71-4403 (1) It shall be the duty of each veterinarian, at
15 the time of vaccinating any domestic or hybrid animal, to complete a
16 certificate of rabies vaccination which shall include, but not be
17 limited to, the following information:

18 ~~(1)~~ (a) The owner's name and address;

19 ~~(2)~~ (b) An adequate description of the domestic or hybrid
20 animal, including, but not limited to, such items as the domestic or
21 hybrid animal's breed, sex, age, name, and distinctive markings;

22 ~~(3)~~ (c) The date of vaccination;

23 ~~(4)~~ (d) The rabies vaccination tag number;

24 ~~(5)~~ (e) The type of rabies vaccine administered;

25 ~~(6)~~ (f) The manufacturer's serial number of the vaccine

1 used; and

2 ~~(7)-(g)~~ The site of vaccination.

3 ~~Such-(2)~~ After vaccinating an animal, the veterinarian
4 shall issue a tag with the certificate of vaccination.

5 (3) A commercial dog breeder performing vaccinations
6 shall maintain documentation recording the information prescribed in
7 subsection (1) of this section. A copy of such documentation shall be
8 maintained with the individual health records of each dog vaccinated,
9 and one copy shall be provided to the attending veterinarian for the
10 breeder's veterinary care plan under section 54-641.02.

11 Sec. 4. Original sections 71-4401, 71-4402, and 71-4403,
12 Reissue Revised Statutes of Nebraska, are repealed.