

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 665

Introduced by Storer, 43; Andersen, 49; DeKay, 40; Guereca, 7; Holdcroft,
36; Ibach, 44; Murman, 38; Rountree, 3; Storm, 23.

Read first time January 22, 2025

Committee: Agriculture

- 1 A BILL FOR AN ACT relating to the Animal Health and Disease Control Act;
- 2 to amend sections 54-2901, 54-2902, 54-2939, and 54-2948, Reissue
- 3 Revised Statutes of Nebraska; to define a term; to restate
- 4 legislative findings and declarations; to prohibit electronic
- 5 identification devices relating to foreign adversaries as
- 6 prescribed; to prohibit certain actions by the Department of
- 7 Agriculture; to harmonize provisions; and to repeal the original
- 8 sections.
- 9 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 54-2901, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 54-2901 Sections 54-2901 to 54-2957 and section 3 of this act shall
4 be known and may be cited as the Animal Health and Disease Control Act.

5 **Sec. 2.** Section 54-2902, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 54-2902 For purposes of sections 54-753.05 and 54-797 to 54-7,103
8 and the Animal Health and Disease Control Act, unless the context
9 otherwise requires, the definitions found in sections 54-2903 to 54-2938
10 and section 3 of this act shall be used.

11 **Sec. 3.** Foreign adversary means any foreign government or foreign
12 nongovernment person determined to be a foreign adversary pursuant to 15
13 C.F.R. 791.4, as such regulation existed on January 1, 2025.

14 **Sec. 4.** Section 54-2939, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 54-2939 (1) The Legislature finds and declares it is the policy of
17 this state that:

18 (a) Animal animal health and disease control are essential to the
19 livestock industry and the health of the economy of Nebraska; -

20 (b) It is in the economic and cultural interest of Nebraska to
21 protect and conserve livestock resources;

22 (c) Protection of private property rights, as they pertain to
23 livestock husbandry and management, supersede the interests of government
24 bureaucracy; and

25 (d) Foreign adversaries who can leverage surveillance technology to
26 disrupt the integrity of domestic livestock production present a threat
27 to the security and sovereignty of Nebraska and the United States of
28 America.

29 (2) The purpose of the Animal Health and Disease Control Act is to
30 further the best interests of Nebraska's livestock industry and to grow
31 Nebraska agriculture.

1 (3) In carrying out its duty to protect the health of Nebraska's
2 livestock, the department may use USDA/APHIS/VS program standards to
3 determine and employ the most efficient and practical means for the
4 prevention, suppression, control, and eradication of dangerous diseases
5 among livestock and transmissible from other animals to livestock.

6 **Sec. 5.** Section 54-2948, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 54-2948 (1) Livestock imported into Nebraska shall comply with
9 federal animal disease traceability requirements for official
10 identification of animals as set forth in 9 C.F.R. part 86, as such part
11 existed on January 1, 2020, which the Legislature hereby adopts by
12 reference. If there is an inconsistency between such federal regulations
13 and the Animal Health and Disease Control Act, and any adopted and
14 promulgated rules or regulations or order issued by the department, the
15 requirements of the act, rules or regulations, or order control.

16 (2) An official identification device or method may be applied by an
17 animal's owner, the owner's representative, an accredited veterinarian,
18 or an approved tagging site. Official identification devices are intended
19 to provide permanent identification of livestock and to ensure the
20 ability to find the source of animal disease outbreaks. Removal of these
21 devices is prohibited except at the time of slaughter, upon the death of
22 the animal at any location, when an area veterinarian in charge replaces
23 a device, or as otherwise approved by the department.

24 (3) The application of any electronic identification device for
25 livestock manufactured by an entity with direct or indirect ties to any
26 foreign adversary is prohibited within this state.

27 (4) The department shall not require the application or use of any
28 foreign manufactured device for electronic animal identification for the
29 purpose of identifying or tracking the movement of any livestock.

30 **Sec. 6.** Original sections 54-2901, 54-2902, 54-2939, and 54-2948,
31 Reissue Revised Statutes of Nebraska, are repealed.