

SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION

S.F. No. 2128

(SENATE AUTHORS: PUTNAM)

DATE
02/27/2023

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1132

Introduction and first reading

OFFICIAL STATUS

Referred to Agriculture, Broadband, and Rural Development

1.1 A bill for an act
 1.2 relating to agriculture; modifying restricted species provisions; amending Minnesota
 1.3 Statutes 2022, section 17.457.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2022, section 17.457, is amended to read:

1.6 **17.457 RESTRICTED SPECIES.**

1.7 Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this section.

1.8 (b) "Commissioner" means the commissioner of agriculture or the commissioner's
 1.9 designee.

1.10 (c) "Restricted species" means Eurasian wild pigs and their hybrids (*Sus scrofa* subspecies
 1.11 and *Sus scrofa* hybrids), excluding domestic hogs (*S. scrofa domesticus*).

1.12 (d) "Release" means an intentional introduction or accidental escape of a species from
 1.13 the control of the owner or responsible party.

1.14 Subd. 2. **Importation; possession; release of restricted species.** It is unlawful for a
 1.15 person to import, possess, propagate, transport, or release restricted species, ~~except as~~
 1.16 ~~provided~~ unless the person has a permit as described in subdivision 3.

1.17 Subd. 3. **Permits.** ~~(a)~~ The commissioner may issue permits for the transportation,
 1.18 possession, purchase, or importation of restricted species for scientific, research, educational,
 1.19 or commercial purposes. A permit issued under this subdivision may be revoked by the
 1.20 commissioner if the conditions of the permit are not met by the permittee or for any unlawful
 1.21 act or omission, including accidental escapes.

2.1 ~~(b) The commissioner may issue permits for a person to possess and raise a restricted~~
2.2 ~~species for commercial purposes if the person was in possession of the restricted species~~
2.3 ~~on March 1, 1993. Under the permit, the number of breeding stock of the restricted species~~
2.4 ~~in the possession of the person may not increase by more than 25 percent and the person~~
2.5 ~~must comply with the certification requirements in subdivision 7.~~

2.6 ~~(c) A person may possess a restricted species without a permit for a period not to exceed~~
2.7 ~~two days for the purpose of slaughtering the restricted species for human consumption.~~

2.8 Subd. 4. **Notice of ~~escape~~ release of restricted species.** In the event of an ~~escape~~ a
2.9 release of a restricted species, the owner must notify within 24 hours a conservation officer
2.10 and the Board of Animal Health and is responsible for the recovery of the species. The
2.11 commissioner may capture or destroy the ~~escaped~~ released animal at the owner's expense.

2.12 Subd. 5. **Enforcement.** This section may be enforced by an enforcement officer under
2.13 sections 97A.205 and 97A.211 and by the commissioner under sections 17.982 to 17.984.

2.14 Subd. 6. **Penalty.** A person who violates subdivision 2, 4, or 7 is guilty of a misdemeanor.

2.15 Subd. 7. ~~**Certification and Identification requirements.** (a) A person who possesses~~
2.16 ~~restricted species on July 1, 1993, must submit certified numbers of restricted species in~~
2.17 ~~the person's possession to the Board of Animal Health by June 1, 1993.~~

2.18 ~~(b) A~~ A restricted species in the possession of a person must be marked in a permanent
2.19 fashion to identify ownership. The restricted species must be marked as soon as practicable
2.20 after birth or purchase.

2.21 Subd. 8. **Containment.** The commissioner, in consultation with the commissioner of
2.22 natural resources, shall develop criteria for approved containment measures for restricted
2.23 species ~~with the assistance of producers of restricted species.~~

2.24 Subd. 9. **Bond; security.** A person who possesses restricted species must ~~file a bond or~~
2.25 ~~deposit~~ provide proof of insurance or file a security bond with the commissioner ~~security~~
2.26 ~~in the form and in the~~ an amount determined by the commissioner to pay for the potential
2.27 costs and damages that would be caused by ~~an escape~~ the release of a restricted species.

2.28 Subd. 10. **Fee.** The commissioner ~~shall~~ may impose a fee for permits in an amount
2.29 sufficient to cover the costs of issuing the permits and for facility inspections. The fee may
2.30 not exceed \$50. Fee receipts must be deposited in the general fund.