

S.F. No. 1526 – Requirement modification for certain owners of farmed Cervidae (Unofficial engrossment as amended)

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This bill summary pertains to sections of [S.F. 2438](#), the environment, climate, and legacy finance omnibus bill. These sections relate to farmed Cervidae and chapter 35, an agriculture chapter of the statutes.

Section 1 (35.155, subdivision 1) requires an owner to immediately notify the commissioner of natural resources of the escape of a farmed cervid if the cervid is not returned within 24 hours of escape. This section also allows a person with a hunting license to kill and possess escaped farmed cervidae without being liable to the owner for loss of the animal. Requires escaped farmed cervidae that are killed to be tested for chronic wasting disease (CWD). Makes the owner responsible for proper disposal of a deceased CWD-positive escaped cervid and for paying any costs associated with the escaped cervid. This section is effective September 1, 2023.

Section 2 (35.155, subdivision 4) requires fencing for farmed cervidae to be constructed and maintained in a manner that prevents physical contact between farmed cervidae and free-roaming cervidae. Requires fencing deficiencies to be repaired immediately if the deficiency allows entry or exit of farmed or wild cervidae. All other deficiencies must be fixed within a reasonable time not to exceed 14 days. This section is effective September 1, 2024.

Section 3 (35.155, subdivision 10) prohibits new registrations of white-tailed deer farms. Allows transfer or sale of a white-tailed deer farm registration one time only. Transfer or sale may only be approved once the Board of Animal Health (BAH) has verified that the herd is CWD-free. This section is effective the day following enactment.

Section 4 (35.155, subdivision 11) prohibits moving a farmed white-tailed deer from a CWD-positive herd to another location. Requires the owner of premises where CWD has been detected to cooperate with inspections by the appropriate state agencies and prohibits raising farmed cervidae on the premises for ten years. This section also requires written disclosure to a purchaser of the property of the date the herd was depopulated and notice of the requirements and limitations that

apply to the property as a result of CWD having been detected on it. Finally, the owner must file a notice containing related information with the appropriate county recorder or registrar of titles.

Section 5 (35.155) adds a new subdivision relating to liability, providing that a herd owner is civilly liable to a person injured by the owner's sale or unlawful disposal of farmed cervidae that the owner knew or reasonably should have known were infected with or exposed to CWD. Provides further that a herd owner is liable to the state for costs associated with the owner's unlawful disposal of farmed cervidae infected with or exposed to CWD.

Section 6 (35.155, subdivision 12) prohibits the importation of live cervidae or cervidae semen from a herd that is CWD positive or that has been exposed to CWD, or from a state or province where CWD is present in the farmed or wild cervid population. Live cervidae and cervidae semen may only be imported from states and provinces that are free from CWD and that have been subject to a CWD monitoring program for at least three years.

Section 7 (35.155) adds a new subdivision relating to cooperation with the BAH and authorizes the Department of Natural Resources (DNR) to contract with the Board of Animal Health to administer some or all of the statutes that govern farmed white-tailed deer once those duties are transferred to the DNR. This section is effective July 1, 2025.

Section 8 (35.156) adds a new subdivision to the chronic wasting disease section requiring the BAH and the DNR to consult with the Minnesota Center for Prion Research and Outreach at the University of Minnesota in the administration of section 35.155 (farmed cervidae provisions).

Section 9 (35.156) adds a new subdivision to the chronic wasting disease section requiring the BAH to promptly notify affected local and Tribal governments when an animal in a farmed cervidae herd tests positive for CWD.

Section 10 (35.156) adds a new subdivision to the chronic wasting disease section requiring BAH to annually test each farmed white-tailed deer for CWD using a live animal real-time quaking-induced conversion (RT-QuIC) test once the test is approved for that purpose by the USDA. If the first test is positive, a second test is required. If the second test is positive, the animal must be destroyed and a post-mortem CWD performed.

Section 11 [Transfer of White-Tailed Deer-Related Duties] transfers the responsibility for administering and enforcing statutes and rules regulating farmed white-tailed deer from BAH to the DNR, effective July 1, 2025.

Section 12 [Appropriation; Chronic Wasting Disease Transmission Contingency Planning] appropriates \$1,632,612 in fiscal year 2024 and \$1,845,700 in fiscal year 2025 from the general fund to the University of Minnesota for chronic wasting disease contingency plans. The base for the appropriation is set at \$1,603,000 each year in fiscal years 2026 and 2027, and \$0 in fiscal year 2028.

Section 13 [Revisor Instruction] instructs the Revisor of Statutes to make necessary conforming changes.

Section 14 [Repealer] repeals subdivision 14 of the section in statute relating to farmed Cervidae that relates to concurrent authority to regulate farmed white-tailed deer. This section is effective July 1, 2025.