

Senate Bill 371

By: Senators Ragan of the 11th, Streat of the 19th, James of the 35th and Butler of the 55th

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 4 of the Official Code of Georgia Annotated, relating to animals, so as to
2 authorize the Commissioner of Agriculture to require the reporting of certain animal diseases
3 and syndromes; to provide for the contents of reports; to provide for the confidentiality of
4 reports; to provide for limited exceptions and for the use of certain data; to provide that
5 certain persons making such reports shall not be liable for civil damages; to provide for
6 penalties and change the provisions relating to certain penalties; to repeal conflicting laws;
7 and for other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 Title 4 of the Official Code of Georgia Annotated, relating to animals, is amended by adding
11 at the end of Part 1 of Article 1 of said chapter a new Code Section 4-4-6 to read as follows:

12 "4-4-6.

13 (a) The Commissioner of Agriculture is authorized to declare certain animal diseases and
14 syndromes to be diseases requiring notice and to require the reporting thereof to the
15 department in a manner and at such times as may be prescribed by the Commissioner. The
16 department shall require that such data be supplied as is deemed necessary and appropriate
17 for the prevention and control of certain diseases and accidents as are determined by the
18 Commissioner. All such reports and data shall be deemed confidential and shall not be
19 open to inspection by the public; provided, however, that the Commissioner may release
20 such reports and data in statistical form, for valid research purposes, and for other purposes
21 as deemed appropriate by the Commissioner.

22 (b) Any person, including but not limited to any veterinarian or veterinary diagnostic
23 laboratory and practice personnel and any person associated with any livestock farm, ranch,
24 sales establishment, transportation, or slaughter, submitting reports or data in good faith
25 to the department in compliance with this Code section shall not be liable for any civil
26 damages therefor.

1 (c) Any person violating any provision of this Code section shall be guilty of a
2 misdemeanor."

3 **SECTION 2.**

4 Said title is further amended by adding to Chapter 10 of said title, known as the "Bird Dealers
5 Licensing Act," a new Code Section 4-10-7.3 to read as follows:

6 "4-10-7.3.

7 (a) The Commissioner of Agriculture is authorized to declare certain animal diseases and
8 syndromes to be diseases requiring notice and to require the reporting thereof to the
9 department in a manner and at such times as may be prescribed by the Commissioner. The
10 department shall require that such data be supplied as is deemed necessary and appropriate
11 for the prevention and control of certain diseases and accidents as are determined by the
12 Commissioner. All such reports and data shall be deemed confidential and shall not be
13 open to inspection by the public; provided, however, that the Commissioner may release
14 such reports and data in statistical form, for valid research purposes, and for other purposes
15 as deemed appropriate by the Commissioner.

16 (b) Any person, including but not limited to any veterinarian or veterinary diagnostic
17 laboratory and practice personnel and any person associated with any bird dealer regulated
18 by this chapter, submitting reports or data in good faith to the department in compliance
19 with this Code section shall not be liable for any civil damages therefor."

20 **SECTION 3.**

21 Said title is further amended by striking Code Section 4-10-12, relating to penalties, and
22 inserting in its place the following:

23 "4-10-12.

24 Any person who acts as a bird dealer without a license in violation of this chapter, who
25 violates Code Section 4-10-7.3, or who violates any other provision of this chapter shall
26 be guilty of a misdemeanor."

27 **SECTION 4.**

28 Said title is further amended by adding to Article 1 of Chapter 11 of said title, known as the
29 "Georgia Animal Protection Act," a new Code Section 4-11-9.7 to read as follows:

30 "4-11-9.7.

31 (a) The Commissioner of Agriculture is authorized to declare certain animal diseases and
32 syndromes to be diseases requiring notice and to require the reporting thereof to the
33 department in a manner and at such times as may be prescribed by the Commissioner. The
34 department shall require that such data be supplied as is deemed necessary and appropriate

1 for the prevention and control of certain diseases and accidents as are determined by the
2 Commissioner. All such reports and data shall be deemed confidential and shall not be
3 open to inspection by the public; provided, however, that the Commissioner may release
4 such reports and data in statistical form, for valid research purposes, and for other purposes
5 as deemed appropriate by the Commissioner.

6 (b) Any person, including but not limited to any veterinarian or veterinary diagnostic
7 laboratory and practice personnel and any person associated with any pet dealer, kennel,
8 animal shelter, or stable, submitting reports or data in good faith to the department in
9 compliance with this Code section shall not be liable for any civil damages therefor."

10 **SECTION 5.**

11 All laws and parts of laws in conflict with this Act are repealed.