

**Testimony in Support of House Bill 2723  
to the House Committee on Agriculture  
by Dr. Andy Hawkins, Assistant Animal Health Commissioner  
Kansas Department of Agriculture  
March 7, 2022**

Good afternoon, Chairman Rahjes and members of the committee. I am Andy Hawkins and I serve as the Assistant Animal Health Commissioner for the Kansas Department of Agriculture (KDA). Thank you for the opportunity to provide testimony in support of House Bill 2723.

House Bill 2723 would amend the laws regulating the importation of livestock into Kansas. Currently, K.S.A. 47-607 makes it unlawful for any person to “bring, drive or transport” any livestock into Kansas without first having the animals inspected by a licensed veterinarian and issued a certificate of veterinary inspection (CVI) indicating they are healthy. The only penalty for violating this law is an unclassified misdemeanor, which must be enforced by a county or district attorney.

A CVI signifies that livestock have been inspected by a veterinarian and found to be free of contagious, infectious, or communicable disease. In addition to providing animal disease traceability information, a CVI also ensures that livestock have met all requirements for entry into the destination state. It is the responsibility of each state to set entry requirements. These requirements are species specific, age specific, intended purpose specific and can change based on current disease status and geographic situational awareness.

Although investigation of these violations can require an inordinate amount of staff time, if the local prosecutor is uninterested in the case, there is little that can be done to curb frequent offenders. Many times, the Animal Health Commissioner has no way to access the records necessary to complete an investigation or create jurisdiction under another section of the law, or by the time the records can be collected from public livestock markets after the sale, the animals are too dispersed for a quarantine order to be practical or effective.

For example, the Animal Health Commissioner and staff recently investigated an individual who imported breeding bulls with no CVI and no indication of virginity status, age, or that bulls are negative for *Tritrichomonas foetus* as required by K.A.R. 9-7-4a. The investigation determined that the individual had been told by a veterinarian in the origination state that he needed the documents for entry and the individual chose to proceed with the movement of the bulls indicating to the veterinarian that Kansas had no ability to enforce the import requirements. Another common example is from individuals continually importing horses without a CVI or a valid Coggins (VS Form 10-11) indicating that each horse was tested and confirmed negative for Equine Infectious Anemia within the past 12 months pursuant to K.A.R. 9-7-14. If left unchecked, these incidents

could increase over time and have the potential to lead to an introduction of a contagious, infectious, or communicable disease among the livestock of Kansas.

Therefore, in order to provide adequate and timely enforcement authority, KDA and the Animal Health Commissioner ask that the authority to issue civil penalties be added to the import law at K.S.A. 47-607c. Additionally, in working with stakeholders on the development of this bill, it was agreed that to help target this newly expanded enforcement authority against those persons who are truly bad actors and ignoring the current law, the threshold for a criminal prosecution should be increased to “intentionally or knowingly” and the Animal Health Commissioner should be granted clearer authority to look at records in the possession of unlicensed persons.

The bill, as presented to this committee, passed the Senate Committee on Agriculture and Natural Resources earlier this session as Senate Bill 345 but did not get placed on General Orders. Therefore, we have requested re-introduction of this bill in exempt form and ask the committee to consider moving this important enforcement tool forward. KDA believes that this bill will allow the Animal Health Commissioner to properly fulfill his duties to protect the livestock of this state from the spread of contagious, infectious, or communicable disease in a responsible manner. Thank you for your consideration.