

## HB-1236 Summary



### Background

Colorado's agricultural economy is primarily livestock-based. Colorado ranks in the top ten states in the nation in the number of cattle and calves, and fourth in the nation in the number of sheep and lambs. Colorado's hog and poultry industries are also substantial sub-sectors of the agricultural economy. The Colorado Department of Agriculture (CDA) is the primary regulatory agency over this economic sector, maintaining programs that protect and monitor livestock health and safety, verify ownership, and track livestock shipments. Each of these regulatory programs generates, receives and maintains business and personal records of livestock owners/operators regarding the vaccination, disease testing, inspection, sale and transit patterns of livestock grown in Colorado and that which is shipped into the state for breeding, finishing and slaughter.

The department is currently creating an all-hazards system of electronic data management, including storing a large amount of data that can be cross-referenced and used to track risk from disease, homeland security threats, or to aid in recovery from the effects of natural disasters. The department has named this effort the "Colorado Livestock Security System," (the "CLSS").

CDA currently has no method to protect the confidentiality of many of the records relating to the personal property of thousands of Colorado farmers and ranchers, records that would become a part of the CLSS. If requested, the department currently could be forced to disclose how many cattle Rancher Jones shipped to market last week or the number of Rancher Brown's bulls that tested positive for trichomoniasis, or other detailed business and personal information regarding the operator or their operation.

### Proposal Summary

CDA is proposing that the Commissioner be charged with the duty to maintain the confidentiality of all information in the custody of the department related to the state's livestock industry. Confidentiality of data is the foundation for success of the Colorado Livestock Security System, and we believe CLSS is critical to protect this multi-billion dollar industry.

Under the proposal, a livestock owner would have access to the data in the system pertaining to his or her own livestock, but not that of other producers. The department would not be required to maintain confidentiality of records when a need arises related to scientific purposes or testing, provided the receiving entity can ensure the confidentiality of the information released. Likewise, the Commissioner would not be required to maintain confidentiality when releasing information necessary to protect the health and safety of a person or animal.