

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

House Bill 2437

FISCAL
NOTE

BY DELEGATES HAMRICK, SUMMERS, COOPER, MILLER,
C., OVERINGTON, HAMILTON, MOORE, ZATEZALO, FRICH,
ATKINSON AND WARD

[Introduced February 14, 2017; Referred
to the Committee on Agriculture and Natural
Resources then Government Organization.]

1 A BILL to amend and reenact §30-10-17 of the Code of West Virginia, 1931, as amended, relating
2 to exempting persons practicing animal husbandry from provisions requiring licensing of
3 veterinarians; animal husbandry defined.

Be it enacted by the Legislature of West Virginia:

1 That §30-10-17 of the Code of West Virginia, 1931, as amended, be amended and
2 reenacted to read as follows:

ARTICLE 10. VETERINARIANS

§30-10-17. Exemptions from article.

3 The following persons are exempt from licensing under the provisions of this article:

4 (a) An employee of the federal government performing his or her official duties, as defined
5 by the employing agency;

6 (b) A student of a veterinary school working under the direct supervision of a licensed
7 veterinarian;

8 (c) A person advising with respect to or performing acts which the board has prescribed
9 by legislative rule as accepted livestock management practices;

10 (d) The owner of an animal, the owner's employees, or persons assisting the owner
11 without any fee or compensation, caring for and treating the animal, except where the ownership
12 of the animal was transferred for the purpose of circumventing the provisions of this article;

13 (e) A member of the faculty of a veterinary school performing his or her regular duties and
14 functions, including lecturing, giving instructions or demonstrations, at a veterinary school or in
15 connection with a board approved continuing education course or seminar;

16 (f) A person selling or applying a pesticide, insecticide or herbicide;

17 (g) A person engaging in bonafide scientific research which reasonably requires
18 experimentation involving animals;

19 (h) A person engaging in bonafide scientific research in consultation with a licensed
20 veterinarian in this state;

21 (i) A person treating or relieving a living animal in the case of an emergency for no fee or
22 other compensation;

23 (j) A person who disposes of the carcass of a dead animal; ~~and~~

24 (k) Veterinary assistants acting under the general supervision of a licensed veterinarian;
25 and.

1 (l) A person practicing animal husbandry as defined in this subsection.

2 (A) "Animal husbandry" means the branch of agriculture and animal science concerned
3 with the care, breeding and management of bovine, caprine, equidae, porcine, poultry and other
4 farm animals. It includes dehorning, branding, tagging or notching ears, teeth floating, farriery,
5 massage, chiropractic, pregnancy checking, semen collecting, semen preparation, semen
6 freezing, castrating, worming, vaccinating, injecting and artificial insemination. Animal husbandry
7 includes advising with respect to nutrition, feeds or feeding of these types of animals.

8 (B) "Teeth floating" means the performance of dental procedures on bovine, equidae,
9 porcine or other livestock to remove enamel points; to smooth, contour or level incisors or dental
10 arcades; or to extract deciduous or vestigial teeth.

11 (C) For purposes of this section, animal husbandry does not include the performance of
12 any procedure listed in subdivision (A) or (B) of this subsection on canines or felines, or the act
13 of advising on nutrition, feeds or feeding of canines or felines.

14

NOTE: The purpose of this bill is to exempt persons performing animal husbandry from veterinary license requirements. It defines animal husbandry.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.