

**SENATE**  
**STATE OF MINNESOTA**  
**NINETY-THIRD SESSION**

**S.F. No. 2128**

(SENATE AUTHORS: PUTNAM)

DATE	D-PG	OFFICIAL STATUS
02/27/2023	1132	Introduction and first reading
		Referred to Agriculture, Broadband, and Rural Development
03/22/2023		Comm report: To pass as amended
		Second reading

- 1.1 A bill for an act
- 1.2 relating to agriculture; modifying restricted species provisions; amending Minnesota
- 1.3 Statutes 2022, section 17.457.
- 1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.5 Section 1. Minnesota Statutes 2022, section 17.457, is amended to read:
- 1.6 **17.457 RESTRICTED SPECIES.**
- 1.7 Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this section.
- 1.8 (b) "Commissioner" means the commissioner of agriculture or the commissioner's
- 1.9 designee.
- 1.10 (c) "Restricted species" means Eurasian wild pigs and their hybrids (*Sus scrofa* subspecies
- 1.11 and *Sus scrofa* hybrids), excluding domestic hogs (*S. scrofa domesticus*).
- 1.12 (d) "Release" means an intentional introduction or accidental escape of a species from
- 1.13 the control of the owner or responsible party.
- 1.14 Subd. 2. **Importation; possession; release of restricted species.** It is unlawful for a
- 1.15 person to import, possess, propagate, transport, or release restricted species, ~~except as~~
- 1.16 ~~provided~~ unless the person has a permit as described in subdivision 3.
- 1.17 Subd. 3. **Permits.** ~~(a)~~ The commissioner may issue permits for the transportation,
- 1.18 possession, purchase, or importation of restricted species for scientific, research, educational,
- 1.19 or commercial purposes. A permit issued under this subdivision may be revoked by the
- 1.20 commissioner if the conditions of the permit are not met by the permittee or for any unlawful
- 1.21 act or omission, including accidental escapes.

2.1 ~~(b) The commissioner may issue permits for a person to possess and raise a restricted~~  
2.2 ~~species for commercial purposes if the person was in possession of the restricted species~~  
2.3 ~~on March 1, 1993. Under the permit, the number of breeding stock of the restricted species~~  
2.4 ~~in the possession of the person may not increase by more than 25 percent and the person~~  
2.5 ~~must comply with the certification requirements in subdivision 7.~~

2.6 ~~(c) A person may possess a restricted species without a permit for a period not to exceed~~  
2.7 ~~two days for the purpose of slaughtering the restricted species for human consumption.~~

2.8 Subd. 4. **Notice of ~~escape~~ release of restricted species.** In the event of an ~~escape~~ a  
2.9 release of a restricted species, the owner must notify within 24 hours a conservation officer  
2.10 and the Board of Animal Health and is responsible for the recovery of the species. The  
2.11 commissioner may capture or destroy the ~~escaped~~ released animal at the owner's expense.

2.12 Subd. 5. **Enforcement.** This section may be enforced by an enforcement officer under  
2.13 sections 97A.205 and 97A.211 and by the commissioner under sections 17.982 to 17.984.

2.14 Subd. 6. **Penalty.** A person who violates subdivision 2, 4, or 7 is guilty of a misdemeanor.

2.15 Subd. 7. ~~**Certification and Identification requirements.** (a) A person who possesses~~  
2.16 ~~restricted species on July 1, 1993, must submit certified numbers of restricted species in~~  
2.17 ~~the person's possession to the Board of Animal Health by June 1, 1993.~~

2.18 ~~(b) A~~ A restricted species in the possession of a person must be marked in a permanent  
2.19 fashion to identify ownership. The restricted species must be marked as soon as practicable  
2.20 after birth or purchase.

2.21 Subd. 8. **Containment.** The commissioner, in consultation with the commissioner of  
2.22 natural resources, shall develop criteria for approved containment measures for restricted  
2.23 species ~~with the assistance of producers of restricted species.~~

2.24 Subd. 9. **Bond; security.** A person who possesses restricted species must ~~file a bond or~~  
2.25 ~~deposit~~ provide proof of insurance or file a security bond with the commissioner ~~security~~  
2.26 ~~in the form and in the~~ an amount determined by the commissioner to pay for the potential  
2.27 costs and damages that would be caused by ~~an escape~~ the release of a restricted species.

2.28 Subd. 10. **Fee.** The commissioner ~~shall~~ may impose a fee for permits in an amount  
2.29 sufficient to cover the costs of issuing the permits and for facility inspections. The fee may  
2.30 not exceed \$50. Fee receipts must be deposited in the general fund.