



March 14, 2024

TO: Members of the House Agricultural Affairs Committee

## H712

The Idaho Cattle Association (ICA) is the official voice for all segments of the beef industry. We are dedicated to representing seedstock breeders, commercial operators and cattle feeders. ICA is unique in that members are located in every corner of Idaho. The ICA would urge your **SUPPORT** of H712.

The ICA has a straightforward policy that supports and defends the open range statute in Idaho. Open range creates the presumption in Idaho that we are a “fence-out” state, where, unless a property owner is in a herd district, it is the duty of landowners to fence livestock out and off of their land. Herd districts are a legislative exception to the “fence-out” rule. With the creation and implementation of proper herd districts those districts remove open range immunity and create a ‘fence in’ situation for livestock owners.

H712 directly maintains the status of open range. Stray animals can be found in open range or herd districts. Each location would have different ramifications and create a different set of circumstances that operators should be watching. However, H712 does create heightened damages for any producers that do not make a reasonable attempt per the notification periods in the legislation to take their animals off the property where those animals may be trespassing or straying. It should be noted that adjacent property owners in certain situations must also maintain a proper and lawful fence before a livestock owner shall be subject to any damages or criminal penalties. Criminal penalties shall only ensue if a livestock owner is shown to be willful and wanton through their actions in not maintaining stray livestock.

ICA urges your **YES** vote on H712.

Sincerely,

Jerry Wroten  
President



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