

1 **BRAND INSPECTION AMENDMENTS**

2 2004 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: David Ure**

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**LONG TITLE**

6 **General Description:**

7 This bill amends livestock brand inspection provisions to exempt registered horse  
8 transfers from the brand inspection requirement in certain transfer of ownership  
9 situations.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ amends livestock brand inspection provisions to exempt registered horse transfers  
13 from the brand inspection requirement in certain transfer of ownership situations.

14 **Monies Appropriated in this Bill:**

15 None

16 **Other Special Clauses:**

17 None

18 **Utah Code Sections Affected:**

19 AMENDS:

20 **4-24-11**, as last amended by Chapter 302, Laws of Utah 1997

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*Be it enacted by the Legislature of the state of Utah:*

22 Section 1. Section **4-24-11** is amended to read:

23 **4-24-11. Certificate of brand inspection necessary to effectuate change of**  
24 **ownership -- Exception.**

25 (1) Except as provided in [~~Subsection~~] Subsections (2) and (3), the ownership of cattle,  
26



28 horses, domesticated elk, or mules may not be transferred to any other person, through sale or  
29 otherwise, without a certificate of brand inspection issued by a department brand inspector.

30 (2) (a) A brand inspection is not required to transfer ownership of dairy calves from the  
31 farm of origin under 60 days of age.

32 (b) Any person who transports dairy calves that have not been brand inspected pursuant  
33 to Subsection (2)(a) shall be required to show a sales invoice upon request.

34 (3) A brand inspection is not required to transfer ownership of a registered horse sold  
35 in a private treaty transaction if:

36 (a) the breed registration papers are transferred into the new owners name within 30  
37 days after the purchase; and

38 (b) the transfer of ownership of the horse does not go through a livestock dealer or  
39 auction-type sale.

40 (4) The department may make rules subject to Title 63, Chapter 46a, Utah  
41 Administrative Rulemaking Act, to determine policy specifying information sufficient to  
42 identify horses, which information is consistent with the documents indicia of ownership.

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**Legislative Review Note**  
**as of 1-9-04 12:58 PM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**

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**Fiscal Note**  
**Bill Number HB0118**

**Brand Inspection Amendments**

*02-Feb-04*

*10:27 AM*

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**State Impact**

Provisions of this bill can be handled within existing budgets.

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**Individual and Business Impact**

Horse owners who transfer ownership of horses under conditions described in the bill will avoid a minimum inspection fee of \$5 for up to seven horses, plus \$0.70/each for additional horses.

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**Office of the Legislative Fiscal Analyst**