

1 **BRAND INSPECTION OF LIVESTOCK**
2 **SEIZED BY THE FEDERAL GOVERNMENT**

3 2007 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Michael E. Noel**

6 Senate Sponsor: Darin G. Peterson

8 **LONG TITLE**

9 **General Description:**

10 This bill prevents the brand inspection of animals seized by the federal government
11 unless certain conditions are met.

12 **Highlighted Provisions:**

13 This bill:

14 ▶ prohibits a brand inspector from issuing a brand inspection certificate for livestock
15 seized by the federal government and whose owner is known without:

- 16 • a court order authorizing the seizure; or
- 17 • consent by the owner; and

18 ▶ makes technical changes.

19 **Monies Appropriated in this Bill:**

20 None

21 **Other Special Clauses:**

22 None

23 **Utah Code Sections Affected:**

24 AMENDS:

25 **4-24-12**, as enacted by Chapter 2, Laws of Utah 1979

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

28 Section 1. Section **4-24-12** is amended to read:

29 **4-24-12. Livestock -- Verification of ownership through brand inspection --**

30 **Issuance of certificate of brand inspection -- Brand inspector may demand evidence of**
31 **ownership-- Brand inspection of livestock seized by the federal government prohibited --**
32 **Exception.**

33 ~~[Verification of]~~ (1) A brand inspector, as an agent of the department, shall verify
34 livestock ownership [through] by conducting a brand inspection [shall be conducted] during
35 daylight hours [by an agent of the department known as a brand inspector].

36 (2) After ~~[making]~~ conducting the brand inspection, the brand inspector, if satisfied
37 that the livestock subject to inspection bears registered brands or marks owned by the owner of
38 the livestock, shall issue a ~~[certificate of]~~ brand inspection certificate to the owner or owner's
39 agent.

40 (3) The brand inspector shall record the number, sex, breed, and brand or mark on each
41 animal inspected together with the owner's name.

42 (4) If any livestock subject to inspection bears a brand or mark other than that of the
43 owner or, if no brand or mark appears on such livestock, the brand inspector may demand
44 evidence of ownership such as a bill of sale or other evidence of ownership before issuing a
45 ~~[certificate of]~~ brand inspection certificate.

46 (5) A brand inspector shall not issue a brand inspection certificate for any privately
47 owned livestock seized by the federal government unless:

48 (a) the brand inspector receives consent from the livestock's owner;

49 (b) the owner is unknown; or

50 (c) the brand inspector receives a copy of a court order authorizing the seizure.