

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

2007 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Michael E. Noel**

Senate Sponsor: Darin G. Peterson

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**LONG TITLE**

**General Description:**

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

**Highlighted Provisions:**

This bill:

▶ prohibits a brand inspector from issuing a brand inspection certificate for livestock seized by the federal government without:

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

▶ makes technical changes.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

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

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

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

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

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

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

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

48 (b) the owner is unknown; or

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

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Legislative Review Note  
as of 12-7-06 8:27 AM

Office of Legislative Research and General Counsel

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**H.B. 72 - Brand Inspection of Livestock Seized by the Federal Government**

**Fiscal Note**

2007 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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*12/27/2006, 11:24:28 AM, Lead Analyst: Djambov, I.*

**Office of the Legislative Fiscal Analyst**