

**LIVESTOCK BRANDING AMENDMENTS**

2015 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Michael E. Noel**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill deals with the transportation and sale of livestock.

**Highlighted Provisions:**

This bill:

- ▶ defines the term "livestock emergency";
- ▶ states that, in certain circumstances, the commissioner may require that a person transporting cattle have the cattle brand inspected;
- ▶ states that a website created and maintained within the state that markets the sale of livestock shall include a statement about the legal requirements surrounding the sale and purchase of livestock;
- ▶ describes criminal and administrative penalties; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**4-24-16**, as last amended by Laws of Utah 1988, Chapter 139

ENACTS:



28 4-24-31, Utah Code Annotated 1953

29 4-24-32, Utah Code Annotated 1953



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

32 Section 1. Section 4-24-16 is amended to read:

33 **4-24-16. Livestock emergency -- Transportation of livestock between brand**  
34 **inspection districts -- Brand inspection required -- Exception -- No fee for reinspection --**  
35 **Application for brand inspection -- Time and place of inspection.**

36 (1) As used in this section, "livestock emergency" means:

37 (a) the presence of a contagious, infectious, or transmissible disease risk to livestock;

38 or

39 (b) a disaster, declared by a political subdivision, which may affect livestock.

40 ~~[(1) A person may not transport any]~~ (2) In a livestock emergency, the department may  
41 require a person transporting cattle or calves from a point within a brand inspection district to a  
42 point outside the district~~[, except as provided in Subsection (2), until the]~~ to have the cattle or  
43 calves ~~[have been]~~ brand inspected, unless the department approves their transport subject to  
44 brand inspection at some point designated along the transport route.

45 (3) A brand inspection fee is not required to be paid upon reinspection of cattle or  
46 calves being transported between districts from a summer or winter range or pasture if the  
47 cattle or calves were brand inspected in the district of origin.

48 (4) [Before transport from one district to another] If the department is requiring brand  
49 inspections, as described in Subsection (2), the owner or person responsible for the transport  
50 shall apply to the department to inspect the brands and marks of ~~[the animals]~~ an animal to be  
51 moved before transporting an animal from one district to another.

52 (5) The application described in Subsection (4) shall state ~~[the]~~ a time and place where  
53 the animals may be inspected.

54 (6) Upon receipt of an application for brand inspection, the department shall conduct  
55 the inspection;

56 (a) at the time and place specified in the application; or

57 (b) at ~~[such other]~~ a mutually agreed upon time and place ~~[as the department approves].~~

58 ~~[(2) Cattle or calves may be transported between brand inspection districts without~~

59 brand inspection if they are destined for a livestock market in this state.]

60 [~~(3) Horses and mules may move within the state without a brand inspection, but a~~

61 brand inspection is required on a change of ownership or to leave this state.]

62 Section 2. Section 4-24-31 is enacted to read:

63 **4-24-31. Websites promoting the sale of livestock.**

64 (1) A website, created and maintained within the state, that markets the sale of  
65 livestock shall have the following statement clearly visible on each web page that displays  
66 advertised livestock: "Legality of Sales and Purchase, Health Laws. If you sell or purchase  
67 livestock on this site, you shall comply with all applicable legal requirements governing the  
68 transfer and shipment of livestock, including Utah Code Title 4, Chapter 24, Utah Livestock  
69 Brand and Anti-Theft Act, and Title 4, Chapter 31, Control of Animal Disease. Please contact  
70 the Utah Department of Agriculture and Food with any questions."

71 (2) A person who violates this section shall be subject to the penalties described in  
72 Section 4-24-32.

73 Section 3. Section 4-24-32 is enacted to read:

74 **4-24-32. Penalties.**

75 A person who violates a provision of this chapter:

76 (1) is guilty of a class B misdemeanor; and

77 (2) may be subject to administrative fines, payable to the department, of up to \$1,000  
78 per violation.

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Legislative Review Note  
as of 2-4-15 8:54 AM

Office of Legislative Research and General Counsel