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MEMORANDUM

To: House Committee on Agriculture and Natural Resources

From: The Office of Revisor of Statutes

Date: 02/08/2024

Re: H.B. 2543; Requiring approval of livestock brand applications by the animal health commissioner and increasing the maximum amount for brand registration and renewal fees.

Under current law¹, any person may adopt a brand for the purpose of branding livestock in accordance with statute and the animal health commissioner's rules and regulations. When a person applies to register a brand, they must pay a registration fee in an amount not to exceed \$55 and send the commissioner a facsimile of the brand. That registration lasts for a period ending four years subsequent to the next April 1 following the date of issuance. The applicant, after registering the brand with the commissioner and being issued a certificate of brand title, then has the exclusive right to use the brand in Kansas. Registration can be renewed for a five-year period from the date of expiration for a fee not to exceed \$55. If a person does not pay the renewal fee within a grace period of 60 days after the registration's expiration, the brand is forfeited. The use of a forfeited brand is unlawful.

H.B. 2543 would amend the current process for registering a brand and the fee amounts. Under subsection (b), a person would be required to send an application fee (as opposed to registration fee) with their facsimile of the brand to the commissioner. New language would require the commissioner to then make a determination whether the brand is available for use and registration and send notice to the registrant. The registrant, within 60 days of receiving notice of approval, would then need to remit the registration fee. The bill would specify that separate application and registration fees would be required for each brand for which registration is sought and approved. The use of a brand for which a certificate of brand title has not been issued would be made expressly unlawful.

¹ K.S.A. 47-417

Subsection (f) would state that the amount charged for application, registration or renewal fees could not, individually, exceed \$100.

H.B. 2543 would become effective upon publication in the statute book.