

HOUSE BILL No. 2543

By Committee on Agriculture and Natural Resources

Requested by Kelsey Olson on behalf of the Kansas Department of Agriculture

1-18

Proposed Amendments for HB 2543
Senate Committee on
Agriculture and Natural Resources
March 18, 2024
Office of Revisor of Statutes

1 AN ACT concerning agriculture; relating to livestock marks and brands;
2 requiring approval of livestock brand applications by the animal health
3 commissioner; submission of brand application and registration fees;
4 increasing the maximum amount for brand registration and renewal
5 fees; amending K.S.A. 47-417 and repealing the existing section.
6

7 *Be it enacted by the Legislature of the State of Kansas:*

8 Section 1. K.S.A. 47-417 is hereby amended to read as follows: 47-
9 417. (a) Any person may adopt a brand for the purpose of branding
10 livestock in accordance with authorized rules and regulations of the animal
11 health commissioner of the Kansas department of agriculture division of
12 animal health. Such person shall have the exclusive right to use such brand
13 in this state, after ~~registering~~ *receiving approval of the application for*
14 *such brand with from the animal health commissioner.*

15 (b) Any person desiring to register a livestock brand shall forward to
16 the commissioner a facsimile of such brand and shall accompany the same
17 with the ~~registration~~ *application* fee in the amount provided under this
18 section. *Upon a determination by the animal health commissioner that*
19 *such brand is available for use and may be registered, the registrant shall*

20 ~~within [60] days of [receiving] notice of such determination, remit to the~~
21 ~~animal health commissioner a brand registration fee in the amount~~ 75
22 ~~provided under this section. If such brand registration fee is not paid as~~
23 ~~required under this section, the animal health commissioner may deny the~~
24 ~~application. Each person making application for the registering of an~~
25 ~~available livestock brand whose brand application is approved shall be~~
26 ~~issued a certificate of brand title upon remittance of the brand registration~~
27 ~~fee as provided under this section. ~~Such~~ Each brand title shall be valid for~~
28 ~~a recording period ending four years subsequent to the next April 1~~
29 ~~following date of issuance. Separate application and registration fees~~
30 ~~shall be required for each brand for which registration is sought and each~~
31 ~~brand for which an application for registration is approved. The use of a~~
32 ~~brand for which a certificate of brand title has not been issued shall be~~
33 ~~unlawful.~~

34 (c) ~~For the purpose of revising the brand records, the animal health~~
35 ~~commissioner shall collect~~ *Each person [holding] a certificate of brand*

wanting to renew

1 *title shall, upon the expiration of the recording period for such certificate*
 2 *of brand title, remit to the animal health commissioner a renewal fee in the*
 3 *amount provided under this section on all brands upon which the recording*
 4 *period expires. Any person submitting such renewal fee shall be entitled to*
 5 *a renewal of registration of such person's livestock brand for a five-year*
 6 *period from the date of expiration of registration of such person's livestock*
 7 *brand as shown by such person's last certificate of brand title.*

8 (d) The livestock brand of any person whose registration expires and
 9 who fails to pay such renewal fee within a grace period of 60 days after
 10 expiration of the registration period shall be forfeited. The use of a
 11 forfeited brand shall be unlawful.

12 (e) Upon the forfeiture of a livestock brand, the animal health
 13 commissioner is authorized to receive and accept an application for such
 14 brand to the same extent as if such brand had never been issued to anyone
 15 as a registered brand.

16 (f) The animal health commissioner shall determine annually the
 17 amount of funds which that will be required for the purposes for which the
 18 brand application, registration and renewal fees are charged and collected
 19 and shall fix and adjust from time to time each such fee in such reasonable
 20 amount as may be necessary for such purposes, except that in no case shall
 21 either the brand application fee or the renewal fee exceed
 22 \$55 \$100. The amounts of the brand application fee, registration fee and
 23 the renewal fee in effect on the day preceding the effective date of this act
 24 June 30, 2024, shall continue in effect until the animal health
 25 commissioner fixes different amounts for such fees under this section.

26 Sec. 2. K.S.A. 47-417 is hereby repealed.

27 Sec. 3. This act shall take effect and be in force from and after its
 28 publication in the statute book.

held by such person

total of the

and