

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

336B0564

SENATE AGRICULTURE AND NATURAL RESOURCES

ENGROSSED NO. **SB 149** - 2/12/2019

Introduced by: Senators Cammack, Blare, Ewing, Klumb, and Maher and Representatives Brunner, Chaffee, Livermont, Marty, and Peterson (Kent)

1 FOR AN ACT ENTITLED, An Act to increase the amount authorized for certain brand fees and
2 to authorize a brand registration application fee and an expedited registration fee.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 40-18-16 be amended to read:

5 40-18-16. The board may promulgate rules, pursuant to chapter 1-26, to:

- 6 (1) Describe prohibited brand symbols for various types of livestock and identify
7 locations on animals where a brand is permitted;
- 8 (2) Provide for the registration, transfer, and renewal of livestock brands;
- 9 (3) Establish a brand registration fee not to exceed ~~twenty-five~~ fifty dollars;
- 10 (4) Establish a brand renewal fee not to exceed ~~ten~~ eighteen dollars per year or a brand
11 renewal fee not to exceed ~~fifty~~ ninety dollars for each five-year ownership period and
12 a brand transfer fee not to exceed ~~twenty-five~~ fifty dollars;
- 13 (5) Establish an ownership inspection fee not to exceed one dollar for each head of
14 livestock;



- 1 (6) Establish recordable livestock brands;
- 2 (7) Establish law enforcement, ownership inspection, and transportation requirements
- 3 within or without the ownership inspection area;
- 4 (8) Establish a duplicate certificate fee not to exceed ~~five~~ twenty dollars;
- 5 (9) Establish a mileage fee for inspectors not to exceed the rate set by the State Board of
- 6 Finance; ~~and~~
- 7 (10) Establish an inspection fee for livestock located outside the ownership inspection
- 8 area not to exceed one dollar for each head of livestock; and
- 9 (11) Establish a brand registration application fee not to exceed fifty dollars.

10 Section 2. That § 40-19-14 be amended to read:

11 40-19-14. During the first two years following the current brand ownership period, only the

12 previous owner may apply for a brand canceled under § 40-19-13. If the brand is recordable, the

13 previous owner may register the brand by paying the registration fee and a ~~one~~ two hundred

14 dollar rerecord fee. If the brand was registered before cancellation, the brand is recordable and

15 the previous owner may register the brand by paying the registration fee and a ~~one~~ two hundred

16 dollar rerecord fee. ~~Moreover, during~~ During the two years following the current brand

17 ownership period, it is not a violation of § 40-19-21:

- 18 (1) If the previous owner sells livestock bearing the canceled brand; or
- 19 (2) If the previous owner brands livestock with the canceled brand before becoming
- 20 aware of the cancellation.