

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

615A0135

HOUSE BILL NO. 1002

Introduced by: The Committee on Agriculture and Natural Resources at the request of the
State Brand Board

1 FOR AN ACT ENTITLED, An Act to revise certain provisions related to the registration of
2 canceled livestock brands.

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

4 Section 1. That § 40-19-13 be amended to read as follows:

5 40-19-13. Any registered brand which is not renewed within one hundred twenty days after
6 January first as provided for in § 40-19-12 is deemed abandoned ~~to the state and may be claimed~~
7 ~~for use by application if recordable by a new owner~~ by its owner, is canceled, and may not be
8 renewed.

9 Section 2. That § 40-19-14 be amended to read as follows:

10 40-19-14. ~~If an application is made for a brand deemed abandoned during the first two years~~
11 ~~of the current ownership period and the abandoned brand is recordable, the board shall notify~~
12 ~~the previous brand owner by certified or registered mail of the application for such abandoned~~
13 ~~brand. If the previous brand owner fails to rerecord the brand within twenty days of such notice~~
14 ~~pursuant to this section, the new application shall be granted. Such notice is not required for~~
15 ~~recording an abandoned brand after the second year of the current ownership period. The~~

1 ~~renewal fee option is not available after the one hundred twenty-day renewal period has expired.~~
2 ~~An abandoned brand may be rerecorded by its previous owner, if recordable, by paying the~~
3 ~~registration fee and all renewal fees due on the brand for the current renewal period. During the~~
4 ~~first two years following the current brand ownership period, only the previous owner may apply~~
5 ~~for a brand canceled under §40-19-13. If the brand is recordable, the previous owner may~~
6 ~~register the brand by paying the registration fee and a one hundred dollar rerecord fee.~~