ENTITLED, An Act to increase the penalty for leaving the brand inspection area without necessary
inspection and authorization.

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

Section 1. That § 40-20-4 be amended to read as follows:

40-20-4. Except as provided in this chapter, it is a Class 1 misdemeanor for any person to remove
or authorize the removal of any livestock from any point within the livestock ownership inspection
area to any point within one mile of the border with a destination outside the ownership inspection
area unless the livestock have first been inspected for ownership and unless the shipper possesses
the local inspection certificate, market clearance, shippers permit, or such other form of authorization
as may be required by the board. Except as provided in § 40-20-29, a local inspection certificate is
valid for transportation of livestock out of the inspection area only on the date issued. If there is no
valid local inspection certificate, the livestock shall be inspected before leaving the inspection area.
Livestock being removed from the ownership inspection area without authorization from the board
may be impounded by any law enforcement officer until the livestock are inspected for ownership
by an authorized brand inspector. The venue of any offense under this section is in the county where
such livestock were loaded or in any county through which the livestock were transported or trailed.
Any livestock being transported to a destination outside the ownership inspection area shall be
inspected for ownership if they cease to be in the custody of the carrier at any time prior to leaving
the ownership inspection area. Any livestock shipper within the livestock ownership inspection area
wanting livestock inspected as provided in this section shall notify an inspector in advance of the
inspection and allow the inspector reasonable time to provide the inspection.
An Act to increase the penalty for leaving the brand inspection area without necessary inspection and authorization.

I certify that the attached Act originated in the
HOUSE as Bill No. 1038

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Chief Clerk

____________________________
Speaker of the House

Attest:

____________________________
Chief Clerk

The attached Act is hereby approved this ________ day of ____________, A.D., 20__

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Governor

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed ____________ , 20__
at _________ o'clock __ M.

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Secretary of the Senate

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Secretary of State

By _________________________
Asst. Secretary of State