

AN ACT

ENTITLED, An Act to revise certain provisions related to livestock brands and livestock ownership inspection.

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

Section 1. That § 40-18-1.2 be amended by adding thereto a NEW SUBDIVISION to read as follows:

"Process," to cut and wrap a livestock carcass for human consumption.

Section 2. That § 40-19-3 be amended to read as follows:

40-19-3. The branding of cattle, horses, mules, and buffalo shall be done by use of a hot iron. A freeze brand may, however, be applied to horses and mules. A single letter, number, figure, bar, quarter circle, half circle, or complete circle, or a half diamond, or complete diamond placed on livestock are unrecordable brands under this chapter, including new split-brands. However, presently recorded brands are valid as long as fees are paid and there is no conflict with board policy.

A single letter, symbol, or number brand is recordable for sheep. A sheep brand shall be either a hot iron brand or shall be applied with branding paint. No more than two colors or one color and a hot iron brand may be recorded for sheep under one application fee. Authorized paint colors are yellow, blue, green, black, red, or purple. No dot, bar, slash, quarter circle, circle, or the letter "Q" may be registered as a sheep brand. A brand may be recorded for the side, hip, nose, or jaw on either the left or right side of sheep. No brand may be recorded as "across the back" of a sheep. A sheep brand, regardless of position, is only recordable in a different color on the same location.

Section 3. That § 40-20-26.2 be amended to read as follows:

40-20-26.2. The provisions of § 40-20-26.1 notwithstanding, ownership of livestock with the seller's South Dakota recorded and healed brand or the owner's unbranded livestock may be transferred by means of an authorized bill of sale without a brand inspection. The bill of sale shall be

on a form prescribed by the board. A copy of an authorized bill of sale shall be forwarded to the board. An authorized bill of sale does not substitute for inspection of livestock being removed from the ownership inspection area of South Dakota.

An authorized bill of sale may transfer no more than five head of livestock to any one buyer. Multiple authorized bills of sale may not be executed to subdivide numbers of livestock greater than five to any one buyer. The transfer of livestock without an authorized bill of sale under this section or in violation of the requirements relating to the number of livestock that may be transferred to a single buyer is a Class 1 misdemeanor.

Section 4. That § 40-20-29 be amended to read as follows:

40-20-29. It is a Class 1 misdemeanor for any person to slaughter or process livestock commercially within the livestock ownership inspection area until the livestock have received an ownership inspection and the certificate of such inspection is filed and is made a part of that person's permanent records, or unless the person has the hide of each slaughtered carcass available for inspection. An ownership brand inspection certificate on livestock is valid for no longer than four days from the date of issue. Livestock arriving at slaughter destination later than four days from the date indicated on the inspection certificate shall be inspected and the fee collected. All certificates of ownership inspection shall, at any time upon demand, be displayed to any law enforcement officer or to the board.

Section 5. That § 40-22-6 be repealed.

Section 6. That § 40-22-12 be amended to read as follows:

40-22-12. Any person slaughtering or processing livestock outside the ownership inspection area shall, upon demand of any law enforcement officer, provide names and dates of persons who delivered livestock for slaughter that may have originated from within the ownership inspection area.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1019

Chief Clerk

Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1019
File No. _____
Chapter No. _____

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Received at this Executive Office
this ____ day of _____ ,

20__ at _____ M.

By _____
for the Governor

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

Governor

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

Filed _____, 20__
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State