

HOUSE BILL NO. HB0125

Livestock and brands.

Sponsored by: Joint Agriculture, Public Lands and Water
Resources Interim Committee

A BILL

for

1 AN ACT relating to livestock; expanding the definition of
2 livestock; modifying brand recording and inspection fees;
3 modifying county line inspections; modifying in-state range
4 movement permits; modifying permanent brand inspections;
5 repealing a requirement for bulls on open range; modifying
6 and repealing certain inspection and transportation
7 requirements relating to livestock; making conforming
8 amendments; and providing for an effective date.

9

10 *Be It Enacted by the Legislature of the State of Wyoming:*

11

12 **Section 1.** W.S. 6-3-602(c)(i), 11-20-101(a)(iv),
13 11-20-103(b), 11-20-116(a) and (b), 11-20-203(a) and by
14 creating a new subsection (c), 11-20-206(a), 11-20-212(a),
15 11-20-224, 11-20-226, 11-20-401, 11-20-402(a)(intro),
16 (iii), (v), (vi), (viii), (ix) and (x), 11-21-102,
17 11-21-104 and 11-22-109 are amended to read:

1

2 **6-3-602. Forgery; penalties.**

3

4 (c) Forgery is a misdemeanor punishable by
5 imprisonment for not more than six (6) months, a fine of
6 not more than seven hundred fifty dollars (\$750.00), or
7 both, if the writing is a:

8

9 (i) Permit required by W.S. ~~11-21-101~~ 11-21-102
10 through 11-21-104; or

11

12 **11-20-101. Definitions.**

13

14 (a) As used in this act:

15

16 (iv) "Livestock" means cattle, horses, mules,
17 asses, ~~and~~ sheep, goats, llamas and alpacas. The board
18 acting in conjunction with the game and fish commission may
19 designate individual bison or identifiable herds of bison
20 as wildlife;

21

22 **11-20-103. Brands; application; contents; recording**
23 **fees; refund; disposition thereof.**

24

1 (b) The application shall be accompanied by a
2 recording fee of ~~one hundred dollars (\$100.00)~~ not more
3 than three hundred dollars (\$300.00) for the first species
4 of livestock and ~~fifty dollars (\$50.00)~~ not more than one
5 hundred fifty dollars (\$150.00) for each additional species
6 of livestock for which the brand is to be used. In the
7 event a brand is not recorded, ~~twenty five dollars (\$25.00)~~
8 twenty-five percent (25%) of the recording fee shall be
9 retained by the Wyoming livestock board and the balance of
10 the fee shall be refunded to the applicant. A certified
11 copy of the recorded brand shall be given to the owner. All
12 fees collected shall be deposited into the account created
13 by W.S. 11-20-405.

14

15 **11-20-116. Fees for renewal, transfer of ownership or**
16 **alteration of brand; recording bill of sale deemed renewal.**

17

18 (a) For renewing any brand previously recorded and
19 issuing a certificate of renewal, the board shall charge
20 ~~eighty dollars (\$80.00)~~ not more than six hundred dollars
21 (\$600.00). The fee shall cover any additional species of
22 livestock for which the brand was previously recorded.

23

1 (b) For recording a bill of sale or other instrument
2 transferring ownership of a recorded brand and issuing a
3 certificate of transfer, ~~fifty dollars (\$50.00)~~ not more
4 than two hundred dollars (\$200.00) shall be charged for
5 each recorded brand.

6
7 **11-20-203. Inspection of brands at time of delivery**
8 **or removal; certificate required; lack thereof.**

9
10 (a) Except as hereafter provided or except as
11 provided in W.S. 11-20-211, 11-20-224 and 11-20-230, it is
12 unlawful for any person, firm, partnership, corporation, or
13 association to sell, change ownership or to remove or cause
14 to be removed in any way from any county in Wyoming to any
15 other ~~county,~~ state or country, any livestock unless each
16 animal has been inspected for brands and ownership at the
17 time of delivery or removal by an authorized Wyoming brand
18 inspector and a proper certificate of inspection or
19 clearance has been issued.

20
21 (c) Except as hereafter provided or except as provided
22 in W.S. 11-20-211, 11-20-217, 11-20-224 and 11-20-230, it is
23 unlawful for any person, firm, partnership, corporation or
24 association to remove or cause to be removed in any way from

1 any county in Wyoming to any other county, any livestock
2 unless each animal has been inspected for brands and
3 ownership at the time of delivery or removal by an
4 authorized Wyoming brand inspector and a proper certificate
5 of inspection or clearance has been issued, except where the
6 board has established brand inspection zones for each
7 species of livestock. Brand inspection zones may encompass
8 an area based on multiple contiguous counties or the entire
9 state, as determined by the board. Brand inspection zones
10 shall be reviewed and reauthorized annually by the board and
11 shall be in effect for a calendar year.

12

13 **11-20-206. Certificate of inspection generally;**
14 **distribution of copies; failure to exhibit; justification**
15 **to hold vehicle and livestock.**

16

17 (a) Any inspector, upon completing an inspection of
18 livestock for brands and ownership, shall record the
19 inspection upon a form furnished by the Wyoming livestock
20 board. When completed and signed by ~~him~~the inspector and
21 the owner of the livestock or the owner's designee, the
22 form is a certificate of inspection authorizing the removal
23 from the county of the livestock listed. The inspector
24 shall deliver a copy of the certificate to the person in

1 charge of the livestock. ~~If movement is to be by railroad,~~
2 ~~a copy of the inspection certificate shall be delivered by~~
3 ~~the person in charge to the railroad agent to be attached~~
4 ~~to the waybill.~~ If movement is to be by truck, a copy of
5 the certificate shall be delivered by the person in charge
6 of the animals to the driver or person in charge of the
7 truck or trucks, and shall be kept in the latter's
8 possession until the livestock are delivered at the final
9 destination as shown on the certificate of inspection, and
10 shall be exhibited upon request to any person authorized to
11 enforce the brand inspection laws of this state.

12

13 **11-20-212. In-state range movement permits.**

14

15 (a) The board may issue an in-state range movement
16 permit for the movement of livestock from a location in
17 Wyoming to a noncontiguous location in another county
18 provided the applicant and the ranch meet the requirements
19 of this subsection and criteria established by rules of the
20 board. ~~An in state range movement of livestock within a ten~~
21 ~~(10) mile radius from a location in Wyoming shall not be~~
22 ~~required to obtain a permit under this section unless the~~
23 ~~movement is for the purpose of changing ownership of~~
24 ~~livestock.~~ The movement shall be for the purpose of

1 pasturing, grazing, feeding the livestock, veterinary care,
2 commercial lease or use or other board approved movement
3 that is considered necessary for normal ranch management
4 operating conditions. The movement shall not be for the
5 purpose of changing ownership. A permit under this section
6 may be issued only to bona fide owners or Wyoming resident
7 lessees of qualified ranch lands headquartered within
8 Wyoming or their authorized employees. As used in this
9 section, a "qualified ranch" means a ranch that has been
10 used for a period of time or purpose specified by the board
11 and which use can be verified by brand inspection records.
12 A permit may be denied by the board after a finding that
13 the person applying for a permit has violated a brand
14 inspection law, including a provision of this section or a
15 board rule or regulation.

16

17 **11-20-224. Permanent brand inspection certificate;**
18 **application; surrender to board.**

19

20 The owner of livestock used for rodeo, show, racing,
21 pleasure or Wyoming farm or ranch work purposes may obtain
22 a permanent brand inspection certificate authorizing
23 movement of the livestock intrastate or interstate, valid
24 for the life of the livestock or until a change of

1 ownership takes place, upon approval of a proper
2 application in writing by an authorized Wyoming brand
3 inspector. The application shall contain, or be accompanied
4 by, valid proof of ownership of the livestock by the
5 applicant, and shall ~~state~~include a thorough physical
6 description including all brands carried by the livestock
7 and all distinguishing marks or markings. The possession of
8 a valid permanent brand inspection certificate shall
9 constitute prima facie evidence of ownership. Upon any
10 change in ownership,~~the owner shall transfer in writing~~
11 ~~the permanent brand inspection certificate to the new owner~~
12 ~~who shall obtain an inspection within seven (7) days of the~~
13 ~~transfer, or~~ the certificate is void.and shall be
14 ~~immediately surrendered to the board.~~

15

16 **11-20-226. Certificates to be signed and in**
17 **possession.**

18

19 The inspection certificate and movement permit issued
20 pursuant to W.S. 11-20-224 or 11-20-225 is not valid unless
21 signed by an authorized representative of the board and by
22 the permit holder. The certificate ~~must~~shall be in the
23 possession of the person transporting the horse and ~~must~~
24 shall be shown on request to any person authorized to

1 enforce the brand inspection laws. ~~Each certificate shall~~
2 ~~be executed in triplicate, one (1) copy to be forwarded by~~
3 ~~the inspector to the board, one (1) copy to be retained by~~
4 ~~the inspector and the original to be retained by the~~
5 ~~certificate holder.~~

6
7 **11-20-401. Brand inspection fees generally.**

8
9 (a) Except as otherwise provided, each livestock
10 inspector shall at the time of inspecting for brands and
11 ownership collect inspection fees per head in an amount
12 established by the livestock board but not to exceed:

13
14 (i) ~~One dollar (\$1.00)~~ Two dollars (\$2.00) per
15 head on all cattle including unbranded animals, and
16 including the hide or carcass;

17
18 (ii) ~~Twenty cents (\$0.20)~~ Forty cents (\$0.40)
19 per head on all sheep, goats, llamas and alpacas, including
20 any hide or carcass; ~~except unbranded and undocked lambs~~
21 ~~running with their mothers; and~~

22
23 (iii) ~~Seven dollars (\$7.00)~~ Fourteen dollars
24 (\$14.00) per head for the first ten (10) head of all

1 applicable horses, asses or mules inspected, including any
2 hide or carcass and ~~one dollar (\$1.00)~~ two dollars (\$2.00)
3 for each additional horse, hide or carcass inspected at the
4 same time and place; and

5
6 (iv) ~~Five dollar (\$5.00)~~ A ten dollar (\$10.00)
7 surcharge per inspection by the livestock inspector. This
8 fee may be waived if the livestock is brought to the
9 livestock inspector at an approved location, provided at
10 the discretion of the inspector, an adequate inspection can
11 be done at the approved location.

12
13 (b) ~~Inspections~~ Any inspection fees established by
14 the board under this section ~~may be charged a surcharge~~
15 ~~pursuant to W.S. 11-20-405(c)~~ shall be reviewed and
16 reauthorized biannually by the board.

17

18 **11-20-402. Miscellaneous inspection fees.**

19

20 (a) Except as otherwise provided, the board shall
21 establish and, through its authorized inspectors, shall
22 collect fees for the following, ~~fees for services rendered~~
23 ~~but~~ not to exceed:

24

1 (iii) ~~One dollar (\$1.00)~~ Two dollars (\$2.00) for
2 each certificate issued to a hide buyer as required by W.S.
3 11-23-204;

4
5 (v) ~~Twelve dollars (\$12.00)~~ Twenty-four dollars
6 (\$24.00) for each permanent brand inspection and movement
7 permit issued pursuant to W.S. 11-20-224;

8
9 (vi) ~~Seven dollars (\$7.00) per horse~~ Fourteen
10 dollars (\$14.00) for ~~the first ten (10)~~ each head of
11 livestock inspected and ~~one dollar (\$1.00)~~ two dollars
12 (\$2.00) for each additional head inspected under the annual
13 ~~horse~~ brand inspection and movement permit issued pursuant
14 to W.S. 11-20-225;

15
16 (viii) For an accustomed range permit under W.S.
17 11-20-223, up to ~~twenty five cents (\$.25)~~ fifty cents
18 (\$0.50) per head for ~~cattle and horses and up to five cents~~
19 ~~(\$.05) per head for sheep~~ all livestock;

20
21 (ix) ~~Five dollar (\$5.00)~~ A ten dollar (\$10.00)
22 surcharge per inspection by the livestock inspector. This
23 fee may be waived if the livestock is brought to the
24 livestock inspector at an approved location, provided at

1 the discretion of the inspector, an adequate inspection can
2 be done at the approved location;

3

4 (x) The fee for an accustomed range permit under
5 W.S. 11-20-212, ~~a fee of twenty five dollars (\$25.00) not~~
6 more than two hundred dollars (\$200.00);

7

8 **11-21-102. Display of permit to peace officer;**
9 **written statement in lieu of permit.**

10

11 Any operator or other person in control of any vehicle
12 transporting livestock, swine or domestic fowls, or the
13 carcasses thereof, upon demand of any peace officer of
14 Wyoming, shall exhibit his permit to carry the animals or
15 domestic fowls, or carcasses thereof, ~~, or in lieu of such~~
16 ~~permit, shall make a written statement containing the same~~
17 ~~information as is specified in W.S. 11-21-101.~~

18

19 **11-21-104. Prohibited acts; penalties for violations.**

20

21 Any person who makes a false statement as specified in W.S.
22 ~~11-21-101 or~~ 11-21-102, or who knowingly exhibits or causes
23 to be exhibited to any peace officer any false or forged
24 permit or statement, or who, upon request of any peace

1 officer of Wyoming, refuses or neglects to exhibit a permit
2 or make a statement, shall be punished as provided in W.S.
3 11-1-103.

4

5 **11-22-109. Investigations of sales; filing charges;**
6 **hearing; notice thereof.**

7

8 The executive officer of the board may make or have an
9 investigation made of the sales and transactions of any
10 livestock market and the conditions under which its
11 business is conducted. If he finds ~~it proper~~ probable
12 cause, he shall file charges against the licensee and
13 operator with the board, and the charges shall be set down
14 for hearing before the board upon ten (10) days notice
15 served upon the licensee.

16

17 **Section 2.** W.S. 11-20-123, 11-20-213, 11-20-215,
18 11-20-218, 11-20-402(a)(i), 11-21-101 and 11-23-205 are
19 repealed.

20

21 **Section 3.** This act is effective July 1, 2007.

22

23

(END)