

HOUSE BILL NO. HB0106

Sheep feedlot exportation permit.

Sponsored by: Representative(s) Anderson, R. and
Senator(s) Johnson

A BILL

for

1 AN ACT relating to brands; authorizing an annual sheep
2 feedlot exportation permit; establishing the fee for the
3 exportation permit; requiring reports; providing for
4 enforcement; making conforming amendments; and providing
5 for an effective date.

6

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

8

9 **Section 1.** W.S. 11-20-231 is created to read:

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11 **11-20-231. Sheep feedlot exportation permit;**
12 **compliance with health regulations; recordkeeping; reports.**

13

14 (a) Subject to conditions set forth in this section,
15 no inspection for brands or ownership is required on sheep
16 being transported from a Wyoming commercial feedlot

1 directly to a commercial feedlot in another state or
2 directly to a livestock slaughter facility, if the
3 commercial feedlot owner or operator provides documentation
4 that within the preceding one hundred twenty (120) days:

5

6 (i) The sheep have been brand inspected in
7 Wyoming; or

8

9 (ii) There has been a documented out-of-state
10 change of ownership.

11

12 (b) The commercial feedlot owner or operator shall
13 pay any applicable brand inspection fee pursuant to W.S.
14 11-20-402(c). The permit shall be valid for the calendar
15 year issued and no shipments shall be authorized until a
16 permit has been issued. The permit shall be
17 nontransferable.

18

19 (c) The commercial feedlot owner or operator shall
20 keep a weekly record of the number of sheep shipped into
21 and out of the commercial feedlot, documentation of the
22 ownership of the sheep, the method of transportation and
23 the destination of the sheep shipped out of the commercial
24 feedlot. The commercial feedlot owner or operator shall

1 file a monthly report with the board which shall include a
2 summary of the weekly records. The reports may be filed
3 with the board in person, by mail, by facsimile or
4 electronically. The board shall approve the form to be
5 filed under this subsection.

6

7 (d) Any commercial feedlot is subject at any time to
8 inspection of the facilities and any records kept under
9 this section, including documentation of ownership and
10 brand inspections. For all sheep shipped under this
11 section, the commercial feedlot owner or operator shall
12 comply with all other applicable laws, including written
13 evidence of compliance with all Wyoming health and
14 quarantine regulations.

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16 (e) The board shall issue to any commercial feedlot
17 owner or operator in compliance with this section a sheep
18 feedlot exportation permit. A copy of the sheep feedlot
19 exportation permit shall be in the possession of the person
20 transporting the sheep from the commercial feedlot and the
21 permit shall be shown upon request to any officer
22 authorized to enforce brand inspection laws. Failure to
23 comply with this section or any other applicable law, rule

1 or board order shall be grounds for the revocation of the
2 permit and shall be punishable pursuant to W.S. 11-1-103.

3

4 **Section 2.** W.S. 11-1-103, 11-20-203(a) and (c),
5 11-20-227, 11-20-229, 11-20-402 by creating a new
6 subsection (c) and 11-20-409 are amended to read:

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8 **11-1-103. Penalty for violations.**

9

10 A person who violates any of the following sections commits
11 a misdemeanor punishable by imprisonment for not more than
12 six (6) months, a fine of not more than seven hundred fifty
13 dollars (\$750.00), or both for the first offense, or by
14 imprisonment for not more than one (1) year, a fine of not
15 more than one thousand five hundred dollars (\$1,500.00), or
16 both for second or subsequent offenses: W.S. 11-6-210(a) or
17 (f), 11-18-112, 11-19-101, 11-19-102, 11-19-111, 11-19-401,
18 11-20-114, 11-20-117, 11-20-229, 11-20-230, 11-20-231,
19 11-21-104, 11-22-118, 11-23-106, 11-23-207, 11-24-106 and
20 11-30-114. A person who violates board rules promulgated
21 pursuant to W.S. 11-18-103(a)(v) shall be subject to the
22 penalties specified in this section.

23

1 **11-20-203. Inspection of brands at time of delivery**
2 **or removal; certificate required; lack thereof.**

3

4 (a) Except as hereafter provided or except as
5 provided in W.S. 11-20-211, 11-20-224, ~~and~~ 11-20-230 and
6 11-20-231, it is unlawful for any person, firm,
7 partnership, corporation, or association to sell, change
8 ownership or to remove or cause to be removed in any way
9 from any county in Wyoming to any other state or country,
10 any livestock unless each animal has been inspected for
11 brands and ownership at the time of delivery or removal by
12 an authorized Wyoming brand inspector and a proper
13 certificate of inspection or clearance has been issued.

14

15 (c) Except as hereafter provided or except as
16 provided in W.S. 11-20-211, 11-20-217, 11-20-224, ~~and~~
17 11-20-230 and 11-20-231, it is unlawful for any person,
18 firm, partnership, corporation or association to remove or
19 cause to be removed in any way from any county in Wyoming
20 to any other county, any livestock unless each animal has
21 been inspected for brands and ownership at the time of
22 delivery or removal by an authorized Wyoming brand
23 inspector and a proper certificate of inspection or
24 clearance has been issued, except where the board has

1 established brand inspection zones for each species of
2 livestock. Brand inspection zones may encompass an area
3 based on multiple contiguous counties or the entire state,
4 as determined by the board. Brand inspection zones shall
5 be reviewed and reauthorized annually by the board and
6 shall be in effect for a calendar year.

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8 **11-20-227. Fraudulent use of inspection certificate**
9 **and movement permit; penalties.**

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11 Fraudulent use of an inspection certificate and movement
12 permit issued pursuant to W.S. 11-20-224, 11-20-225, ~~or~~
13 11-20-230 or 11-20-231 is punishable by a fine of not more
14 than one hundred dollars (\$100.00) or by imprisonment for
15 not more than thirty (30) days, or both. The fraudulent use
16 of an inspection certificate and movement permit issued
17 pursuant to W.S. 11-20-224, 11-20-225 or 11-20-230 is
18 probable cause to investigate the commission of a felony,
19 and the provisions of W.S. 11-20-228 may be invoked pending
20 the outcome of the investigation and court proceedings, if
21 any.

22

23 **11-20-229. Penalties for violation of certain**
24 **provisions.**

1

2 Any violation of the provisions of W.S. 11-20-202 through
3 11-20-226, ~~and~~ 11-20-230 and 11-20-231 for which there is
4 no specific penalty prescribed is punishable as provided in
5 W.S. 11-1-103.

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7 **11-20-402. Miscellaneous inspection fees.**

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9 (c) The board shall establish and, through its
10 authorized inspectors, shall collect the fee for a sheep
11 feedlot exportation permit under W.S. 11-20-231, of not
12 more than four thousand dollars (\$4,000.00) per calendar
13 year.

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15 **11-20-409. Issuance of certificate.**

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17 All fees required by W.S. 11-6-210, 11-20-201 through
18 11-20-230, 11-20-401 and 11-20-402 shall be due and payable
19 upon the issuance of a certificate of brand inspection, ~~or~~
20 clearance or permit. No fees required by W.S. 11-6-210
21 shall be collected on the same livestock more than once in
22 any twelve (12) month period.

23

1 **Section 3.** This act is effective immediately upon
2 completion of all acts necessary for a bill to become law
3 as provided by Article 4, Section 8 of the Wyoming
4 Constitution.

5

6

(END)