

HOUSE BILL NO. HB0013

Livestock revisions.

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

A BILL

for

1 AN ACT relating to livestock and other animals; revising
2 the process for licensure of livestock markets as
3 specified; revising the responsibilities and fines for
4 estrays; revising the penalty for stock and exotic
5 livestock running at large; providing other technical
6 changes as specified; providing definitions; and providing
7 for an effective date.

8

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

10

11 **Section 1.** W.S. 11-1-103, 11-22-106(a)(intro),
12 11-22-113(b), 11-24-103, 11-24-104, 11-24-105(a) and by
13 creating a new subsection (c), 11-24-108(b) and (d),
14 11-24-110, 11-24-112, 11-24-114, 11-26-101 and 11-31-214
15 are amended to read:

16

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

2

3 A person who violates any of the following sections commits
4 a misdemeanor punishable by imprisonment for not more than
5 six (6) months, a fine of not more than seven hundred fifty
6 dollars (\$750.00), or both for the first offense, or by
7 imprisonment for not more than one (1) year, a fine of not
8 more than one thousand five hundred dollars (\$1,500.00), or
9 both for second or subsequent offenses: W.S. 11-6-210(a) or
10 (f), 11-18-112, 11-19-101, 11-19-102, 11-19-103, 11-19-111,
11 11-19-401, 11-20-114, 11-20-117, 11-20-229, 11-20-230,
12 11-21-104, 11-22-118, 11-23-106, 11-23-207, 11-24-103,
13 11-24-106, 11-26-101(b), 11-30-114 and 11-48-102. A person
14 who violates board rules promulgated pursuant to W.S.
15 11-18-103(a)(v) shall be subject to the penalties specified
16 in this section.

17

18 **11-22-106. License; cancellation.**

19

20 (a) The following are grounds for fines, suspension
21 or cancellation of the license to operate a livestock
22 market if the board finds:

23

1 11-22-113. Inspection of livestock and goats; report
2 on unbranded livestock.

3
4 (b) The Wyoming livestock board shall require from
5 brand inspectors employed at all Wyoming livestock markets
6 a monthly report of all branded and unbranded ~~ealves of the~~
7 ~~beef breeds that are not accompanied by their mothers,~~
8 livestock inspected prior to sale. The report shall show
9 for each consignment of ~~such ealves~~ livestock the date and
10 place of sale, the county of origin, the name and address
11 of consignor and the total number ~~of ealves~~ inspected and
12 sold.

13
14 11-24-103. Taking up estrays; penalties.

15
16 Any person who takes up or retains possession of any estray
17 without the owner's knowledge or consent, or who in any
18 manner restrains from liberty for the purpose of using or
19 making use of any estray without the knowledge and consent
20 of the owner, ~~is guilty of a misdemeanor and~~ shall be fin
21 ~~not less than ten dollars (\$10.00) nor more than one~~
22 ~~hundred dollars (\$100.00), imprisoned for not exceeding~~
23 ~~sixty (60) days not more than seven hundred fifty dollars~~

1 ~~(\$750.00), imprisoned for not more than six (6) months, or~~
2 ~~both~~ punished as provided in W.S. 11-1-103.

4 **11-24-104. Stallions and jacks generally.**

6 If any horse or ass not gelded, two (2) years old or
7 upwards, is found running at large, it is lawful for any
8 person to take up the horse or ass and give notice to the
9 owner or keeper if known. If the owner or keeper does not
10 appear within six (6) days thereafter and pay ~~thirty~~
11 ~~dollars (\$30.00)~~ any reasonable incurred charges for the
12 feed and care of the animal to the person possessing the
13 animal, the person shall advertise the horse or ass and the
14 same proceedings shall be had as provided in the case of
15 estray animals, or the person possessing the animal may
16 after the expiration of thirty (30) days from the time of
17 advertising, geld or have the horse or ass gelded, at the
18 risk and expense of the owner, except when the horse or ass
19 is in the owner's herd, or in care of the owner's herder.
20 The owner of the horse or ass shall be liable for any
21 damages caused by the animal to property or other
22 livestock.

1 11-24-105. Unclaimed horses; permit for gathering;
2 disposal.

3
4 (a) Any person desiring to gather unclaimed horses
5 from the ranges within Wyoming must obtain written
6 permission from the livestock board before commencing to do
7 so. ~~The permit must~~ Written permission to gather unclaimed
8 horses shall also be obtained from the person who has
9 ownership or control of the surface rights of the range
10 whereon the unclaimed horses are to be gathered. The ~~permit~~
11 written permission required under this subsection shall be
12 presented to an inspector and used for the basis for
13 issuance of any brand inspection permit for removal of the
14 unclaimed horses from the county wherein the unclaimed
15 horses are gathered. The form of the permit shall be
16 prescribed by the board. Any horse claimed by the United
17 States bureau of land management as belonging to a wild
18 horse management unit is excluded from this section.

19
20 (c) A permittee who gathers horses under this section
21 shall be responsible for any reasonable incurred charges
22 for the feed and care of the animals until the animals are
23 disposed of as estrays.

1 11-24-108. Stock at large or picketed on public
2 highways; penalties for violations; impoundment and
3 disposition; fees; proceeds from disposition thereof;
4 removal of dead or injured animals.

5
6 (b) Any person or corporation violating this section
7 shall be fined not less than ~~fifty dollars (\$50.00)~~ two
8 hundred dollars (\$200.00) nor more than seven hundred fifty
9 dollars (\$750.00) and in addition shall pay all damage done
10 by the livestock. The provisions of this section do not
11 apply to livestock drifting into lanes or fenced roads in
12 going to or returning from their accustomed ranges.

13
14 (d) A removal fee of not to exceed ~~ten dollars~~
15 ~~(\$10.00)~~ twenty dollars (\$20.00) per head shall be allowed
16 for the expense incurred in removing livestock from any
17 public highway and an impounding fee ~~of not to exceed ten~~
18 ~~dollars (\$10.00) per day per head~~ for any reasonable
19 incurred charges for the feed and care of the animal shall
20 be allowed the person responsible for feed and care of the
21 livestock removed. The inspector is responsible for
22 collection and payment to the rightful claimants of removal
23 and impounding fees when impounded livestock is surrendered
24 to the owner. Upon disposal, the total amount of removal

1 and impounding fees shall be made known to the selling
2 agency at the market or slaughter plant by the inspector
3 and shall constitute a first claim on the net proceeds of
4 the livestock after shipping and disposal expenses have
5 been paid, and shall be forwarded by the selling agency to
6 the claimant.

7

8 **11-24-110. Monthly report of inspector; board to keep**
9 **public record.**

10

11 The inspector shall make a report every thirty (30) days of
12 all estrays ~~not otherwise reported~~ to the livestock board,
13 giving a description of the estrays, stating any brands or
14 other marks by which the estrays may be identified. The
15 board shall keep a record of all estrays reported, which
16 shall at all times be open to the public for inspection.

17

18 **11-24-112. Deposition of proceeds; payment to owner**
19 **on proof of ownership; unclaimed proceeds generally.**

20

21 If the lawful owner of any estray disposed of is found
22 within one (1) year after the end of the calendar year in
23 which disposal of the estray occurred, the net amount
24 received from the disposal shall be paid to the owner upon

1 his proving ownership to the satisfaction of the board or
2 agency. If at the end of one (1) year after the end of the
3 calendar year in which disposal of the estray occurred, the
4 proceeds from the disposal of any estray remains unclaimed,
5 the proceeds shall be disposed of as provided by law.

6
7 **11-24-114. Publication of list of unclaimed estrays.**

8
9 (a) The executive officer of the livestock board
10 shall annually, during the last week of December, send two
11 (2) lists of unclaimed estrays for which he has received
12 payments, to the county clerk of each county, who shall
13 post one (1) copy in a conspicuous place in the courthouse
14 and place one (1) copy on file in his office. The executive
15 officer shall also cause to be published in a newspaper of
16 general circulation in each county from which any estray
17 included in the list was shipped, a notice to the public
18 that the list of estrays is available for examination.

19
20 (b) In addition to the notice under subsection (a) of
21 this section, not less than once each month the livestock
22 board shall ensure that if a new estray is taken up notice
23 is posted at the courthouse in the county in which the
24 estray was taken and at each livestock market. The notice

1 under this subsection shall include the location recovered
2 from and the name of the inspector.

3
4 11-26-101. Prohibited generally; liability of owner;
5 penalty.

6
7 (a) It is unlawful for the owner of any swine, goats,
8 ~~or~~ domestic elk or exotic livestock to allow such animals
9 to run at large within Wyoming. As used in this section,
10 "exotic livestock" means any nontraditional livestock
11 animal including, without limitation, llama, alpaca and
12 other camelids, ostrich and other ratites, bison hybrids
13 and yaks. Any owner who permits or causes such animals to
14 run at large within Wyoming, is liable for damages incurred
15 by any person by reason thereof in a civil action.

16
17 (b) Any person violating subsection (a) of this
18 section, after twenty-four (24) hours written notice by a
19 proper officer, shall be ~~finned not less than ten dollars~~
20 ~~(\$10.00) or more than two hundred fifty dollars (\$250.00)~~
21 ~~for each offense~~ punished as provided in W.S. 11-1-103.

22
23 11-31-214. Board authorized to adopt rules and
24 regulations.

1

2 The board of county commissioners, with the advice of the
3 county health officer, state veterinarian and department of
4 health veterinarian, may adopt such rules and regulations
5 as necessary to implement the program for registration and
6 immunization of dogs and cats in the rabies control
7 district, including the requirement that registered dogs
8 and cats be tagged or marked in such manner as to make them
9 readily identifiable.

10

11 **Section 2.** This act is effective July 1, 2013.

12

13

(END)