

**SENATE BILL No. 345**

By Committee on Agriculture and Natural Resources

1-14

1 AN ACT concerning animals; relating to transporting animals into the  
2 state; authorizing the animal health commissioner to assess a civil  
3 penalty for violations relating thereto; amending K.S.A. 47-607c and  
4 repealing the existing section.

5  
6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 47-607c is hereby amended to read as follows: 47-  
8 607c. *(a) Any person ~~or persons violating or failing~~ who violates or fails to*  
9 *comply with the provisions of this act shall be deemed guilty of a class A*  
10 *nonperson misdemeanor, and upon conviction thereof shall be punished by*  
11 *a fine of not less than one hundred dollars (\$100) nor more than one*  
12 *thousand dollars (\$1,000), or by imprisonment in the county jail not less*  
13 *than thirty (30) days nor more than one (1) year, or by both such fine and*  
14 *imprisonment.*

15 *(b) In addition to any other penalty provided by law, any person who*  
16 *violates K.S.A. 47-607, and amendments thereto, the special permit*  
17 *requirements of K.S.A. 47-607a, and amendments thereto, or rules and*  
18 *regulations promulgated pursuant to K.S.A. 47-607d, and amendments*  
19 *thereto, may incur a civil penalty in an amount not less than \$100 nor*  
20 *more than \$1,000 for each such violation. In the case of a continuing*  
21 *violation, every day such violation continues may be deemed a separate*  
22 *violation.*

23 *(c) No civil penalty shall be imposed pursuant to this section except*  
24 *upon the written order of the duly authorized agent of the animal health*  
25 *commissioner to the person who committed the violation. Such order shall*  
26 *state the violation, the civil penalty to be imposed and the right of the*  
27 *person to appeal to the commissioner. Within 20 days of such notification,*  
28 *any such person may make written request to the commissioner for a*  
29 *hearing in accordance with the Kansas administrative procedure act.*

30 *(d) Any civil penalty recovered pursuant to this section shall be*  
31 *remitted to the state treasurer in accordance with K.S.A. 75-4215, and*  
32 *amendments thereto. Upon receipt of each such remittance, the state*  
33 *treasurer shall deposit the entire amount in the state treasury to the credit*  
34 *of the state general fund.*

35 Sec. 2. K.S.A. 47-607c is hereby repealed.

36 Sec. 3. This act shall take effect and be in force from and after its

- 1 publication in the statute book.