

**SENATE FLOOR AMENDMENTS**

2020 Regular Session

Amendments proposed by Senator Cathey to Engrossed Senate Bill No. 108 by Senator Cathey

1 AMENDMENT NO. 1

2 On page 1, line 3, change "R.S. 3:661" to "R.S. 3:571(A) and (C), 661"

3 AMENDMENT NO. 2

4 On page 1, line 4, between "(4)" and ", relative" insert "732(B)(1)(f), and 2093(4), R.S.  
5 14:67.1(A)(2) and (3) and (B)(1) and (2), and R.S. 37:3103(A)(3.1) and 3134"

6 AMENDMENT NO. 3

7 On page 1. line 10, change "R.S. 3:661" to "R.S. 3:571(A) and (C), 661"

8 AMENDMENT NO. 4

9 On page 1, line 11, after "and (4)," insert " 732(B)(1)(f), and 2093(4),"

10

11 AMENDMENT NO. 5

12

On page 1, between lines 12 and 13, insert the following:

13

"§571. Livestock auctioneers

14

A. Each auctioneer who engages in the auction business exclusively as an  
15 employee or agent of a Louisiana ~~public~~ livestock market which is regulated  
16 by the Louisiana Board of Animal Health shall register annually with the  
17 board.

18

\* \* \*

19

C. Each auctioneer who registers with the board shall submit to the board an  
20 affidavit stating that the applicant is engaged in the auction business  
21 exclusively as an employee or agent of one or more Louisiana ~~public~~  
22 livestock markets which are regulated by the board.

23

\* \* \*"

24 AMENDMENT NO. 6

25

On page 5, between lines 18 and 19, insert the following:

26

"§732. Livestock Brand Commission

27

\* \* \*

28

B.(1) The commission shall be comprised of nine members appointed by the  
29 commissioner as follows:

30

\* \* \*

31

(f) One member appointed from the state at large, who shall be an operator  
32 of a Louisiana ~~public~~ livestock market.

33

\* \* \*

34

§2093. Powers

35

The Louisiana Board of Animal Health shall have the following powers and  
36 duties:

37

\* \* \*

38

(4) To issue charters and determine sale days for ~~public~~ livestock markets in  
39 accordance with R.S. 3:665.

40

\* \* \*"

1 "Section 2. R.S. 14:67.1(A)(2) and (3) and (B)(1) and (2) are hereby  
2 amended and reenacted to read as follows:

3 §67.1. Theft of livestock

4 A. Any of the following acts shall constitute theft of livestock:

5 \* \* \*

6 (2) Transporting or causing the transportation of livestock to a  
7 slaughterhouse or a public livestock market as defined in R.S. 3:663, for  
8 purposes of selling or keeping the livestock or meat with the intent to deprive  
9 the owner permanently of the livestock or meat or proceeds derived from the  
10 sale of the livestock or meat.

11 (3) Failing or refusing to pay for livestock purchased from an agent, dealer,  
12 public livestock market as defined in R.S. 3:663, or owner, or acquired with  
13 the consent of the agent, dealer, public livestock market, or owner, within  
14 thirty days of the date the livestock was purchased or acquired or the date  
15 payment was due, whichever is longer, with the intent to permanently  
16 deprive the other of the livestock or the value of the livestock.

17 B. Either of the following acts shall constitute presumptive evidence of the  
18 intent to permanently deprive the other of the livestock or meat, or proceeds  
19 derived from sale of the livestock or meat:

20 (1) Assignment of the livestock in a record book maintained by a  
21 slaughterhouse or public livestock market as defined in R.S. 3:663, in a name  
22 other than that of the owner.

23 (2) Failing to pay for the livestock within ten days after notice of a request  
24 for payment or return of the livestock or meat has been sent by the agent,  
25 dealer, public livestock market as defined in R.S. 3:663, or owner, to the  
26 offender's last known address by either registered or certified mail, return  
27 receipt requested, or by actual delivery by a commercial courier.

28 \* \* \*

29 Section 3. R.S. 37:3103(A)(3.1) and 3134 are hereby amended and reenacted  
30 to read as follows:

31 §3103. Definitions of terms

32 A. As used in this Chapter, these terms shall have the definitions ascribed to  
33 them, unless the context indicates otherwise:

34 \* \* \*

35 (3.1) "Auction house", "auction company", and "auction business" are  
36 synonymous and interchangeable terms and mean any entity, whether a sole  
37 proprietorship, partnership, limited liability partnership, limited liability  
38 company, corporation, or any other legal entity defined by the board, which  
39 arranges, manages, sponsors, advertises, or carries out two or more auctions  
40 within any twelve-month period and which regularly represents that goods  
41 are sold at auction. However, a public livestock auction business which  
42 exclusively auctions livestock and which is regulated as a public livestock  
43 market by the Louisiana Board of Animal Health pursuant to R.S. 3:2091 et  
44 seq. shall not be defined as an auction business for purposes of this Chapter.  
45 "Auction house," "auction company," and "auction business" shall not mean  
46 an entity which sells property through an Internet-based trading platform  
47 unless such entity's activities constitute an "auction" as defined in Paragraph  
48 (3) of this Subsection.

49 \* \* \*

50 §3134. Livestock auctioneers

51 The provisions of this Chapter shall not apply to and the board shall not have  
52 jurisdiction over auctioneers who are engaged in the auction business

1 exclusively as an employee or agent of a Louisiana ~~public~~ livestock market  
2 which is regulated by the Louisiana Board of Animal Health and who are  
3 registered with that board as required by R.S. 3:2100."

4 AMENDMENT NO. 4

5 On page 5, line 19, change "Section 2." to "Section 5."