

AN ACT

ENTITLED, An Act to increase the amount authorized for certain brand fees and to authorize a brand registration application fee.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 40-18-16 be amended to read:

40-18-16. The board may promulgate rules, pursuant to chapter 1-26, to:

- (1) Describe prohibited brand symbols for various types of livestock and identify locations on animals where a brand is permitted;
- (2) Provide for the registration, transfer, and renewal of livestock brands;
- (3) Establish a brand registration fee not to exceed fifty dollars;
- (4) Establish a brand renewal fee not to exceed eighteen dollars per year or a brand renewal fee not to exceed ninety dollars for each five-year ownership period and a brand transfer fee not to exceed fifty dollars;
- (5) Establish an ownership inspection fee not to exceed one dollar for each head of livestock;
- (6) Establish recordable livestock brands;
- (7) Establish law enforcement, ownership inspection, and transportation requirements within or without the ownership inspection area;
- (8) Establish a duplicate certificate fee not to exceed twenty dollars;
- (9) Establish a mileage fee for inspectors not to exceed the rate set by the State Board of Finance;
- (10) Establish an inspection fee for livestock located outside the ownership inspection area not to exceed one dollar for each head of livestock; and
- (11) Establish a brand registration application fee not to exceed fifty dollars.

Section 2. That § 40-19-14 be amended to read:

40-19-14. During the first two years following the current brand ownership period, only the previous owner may apply for a brand canceled under § 40-19-13. If the brand is recordable, the previous owner may register the brand by paying the registration fee and a two hundred dollar rerecord fee. If the brand was registered before cancellation, the brand is recordable and the previous owner may register the brand by paying the registration fee and a two hundred dollar rerecord fee. During the two years following the current brand ownership period, it is not a violation of § 40-19-21:

- (1) If the previous owner sells livestock bearing the canceled brand; or
- (2) If the previous owner brands livestock with the canceled brand before becoming aware of the cancellation.

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I certify that the attached Act originated in the

SENATE as Bill No. 149

\_\_\_\_\_  
Secretary of the Senate

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\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

Senate Bill No. 149  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

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Received at this Executive Office this \_\_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor

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The attached Act is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_ , A.D., 20\_\_\_\_

\_\_\_\_\_  
Governor

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STATE OF SOUTH DAKOTA,  
ss.

Office of the Secretary of State

Filed \_\_\_\_\_ , 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State