

HOUSE BILL NO. HB0004

Brands.

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

A BILL

for

1 AN ACT relating to brands; revising how brands are recorded
2 and rerecorded; providing for delinquent brands; requiring
3 stock drovers to return comingled livestock; providing for
4 fees; amending a definition; repealing obsolete provisions;
5 and providing for an effective date.

6

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

8

9 **Section 1.** W.S. 11-20-107, 11-20-110, 11-20-111,
10 11-20-114(a), 11-20-115(a), 11-20-117(a), 11-20-118,
11 11-20-125(a)(intro), 11-20-212(a), 11-20-401 by creating a
12 new subsection (c), 11-20-409 and 11-24-101(a)(v) are
13 amended to read:

14

15 **11-20-107. Brands; records kept by board; inspection**
16 **thereof.**

1

2 The board shall keep an accurate record of all certified
3 livestock brands, the names of the owners and their ~~post~~
4 ~~office~~ current contact information including addresses,
5 which shall be open to public inspection.

6

7 **11-20-110. Recorded brand; bill of sale; when title**
8 **vests.**

9

10 Any recorded brand may be conveyed to another by a bill of
11 sale executed by the vendor, properly acknowledged, but the
12 conveyance is not complete nor does title to the brand vest
13 in the vendee until the bill of sale is filed for record
14 and the ownership of the brand is transferred in the office
15 of the board.

16

17 **11-20-111. State brand book; contents.**

18

19 The executive officer of the board shall procure a suitable
20 book, to be known as the state brand book, in which shall
21 be recorded the brand and the definite place of the brand
22 upon the animal, used for the branding of livestock in this
23 state. A suitable book under this section may, at the

1 discretion of the board, include a printed copy, an
2 electronic copy or both.

3

4 **11-20-114. Failure to record brand deemed**
5 **abandonment.**

6

7 (a) ~~No person shall claim or own any brand which has~~
8 ~~not been recorded in the office of the Wyoming livestock~~
9 ~~board.~~ Failure to record a brand is an abandonment of the
10 same. No person shall claim or use any abandoned brand
11 until after he has caused the same to be recorded as
12 required by law.

13

14 **11-20-115. Rerecording; when required; notice;**
15 **abandonment.**

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17 (a) Except as provided by subsection (b) of this
18 section, every tenth year after recording a brand, every
19 owner of a brand shall rerecord the brand, and failure to
20 do so is an abandonment of the brand as provided in this
21 section. At least sixty (60) days preceding the expiration
22 date of the brand, the board shall notify by mail, at the
23 address shown on the brand records, the party owning the
24 brand that the brand must be rerecorded and if the brand

1 has not been rerecorded within sixty (60) days from the
2 expiration date of the brand, the brand will be declared
3 delinquent. The board shall send a second notice by
4 certified mail to the party owning the brand at the address
5 shown on the brand records within thirty (30) days
6 following the date the brand is declared delinquent. A
7 delinquent brand may be rerecorded by the brand owner who
8 shall submit a rerecording application and pay a delinquent
9 fee as established by rule of the board not to exceed one
10 hundred fifty dollars (\$150.00). If a delinquent brand is
11 not rerecorded within one (1) year from the expiration date
12 of the brand, the brand will be declared abandoned and will
13 be allowed to other applicants.

14

15 **11-20-117. Use of unrecorded brands prohibited;**
16 **penalties.**

17

18 (a) It is unlawful for any person in Wyoming to use
19 an unrecorded brand for the purpose of claiming ownership
20 of or to identify livestock with a brand not recorded in
21 his name ~~when the brand is a duplicate of or in conflict~~
22 ~~with any brand lawfully recorded in Wyoming for the same~~
23 ~~species of livestock~~ except as otherwise provided in W.S.
24 11-20-125.

1

2 **11-20-118. Drover's stock; to be kept separate.**

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4 Every stock drover shall keep his livestock separate and
5 distinct from other livestock, and if his livestock becomes
6 mixed with other livestock the stock drover shall forthwith
7 separate the same and return any comingled livestock to
8 their lawful owner.

9

10 **11-20-125. Use of a seasonal brand; application for**
11 **an annual permit to use an out-of-state brand.**

12

13 (a) A person may apply to the board for permission to
14 use his out-of-state brand on cattle, horses, asses or
15 mules, provided the brand is legally registered in the
16 state of origin. If a conflict is found with a registered
17 Wyoming brand the board, notwithstanding W.S. 11-20-104 and
18 11-20-117 and as established by rule and regulation, may
19 authorize use of the brand and require further
20 identification. The permit shall be valid for a one hundred
21 eighty (180) day period during the calendar year. The
22 permit is not transferable. The annual fee for the permit
23 shall be the same as the fee for a new brand as prescribed
24 in W.S. 11-20-103. The permit may be issued and renewed

1 annually if the board finds the requirements of this
2 section are met:

3

4 **11-20-212. In-state range movement permits.**

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6 (a) The board may issue an in-state range movement
7 permit for the movement of livestock from a location in
8 Wyoming to a noncontiguous location in another county
9 provided the applicant and the ranch meet the requirements
10 of this subsection and criteria established by rules of the
11 board. The movement shall be for the purpose of pasturing,
12 grazing, feeding the livestock, veterinary care, commercial
13 lease or use or other board approved movement that is
14 considered necessary for normal ranch management operating
15 conditions. The movement shall not be for the purpose of
16 changing ownership. A permit under this section may be
17 issued only to bona fide owners or Wyoming resident lessees
18 of qualified ranch lands headquartered within Wyoming or
19 their authorized employees. As used in this section, a
20 qualified ranch means a ranch that has been used for a
21 period of time or purpose specified by the board and which
22 use can be verified by brand inspection records. A permit
23 may be denied by the board after a finding that the
24 person applying for a permit has violated a brand

1 inspection or animal health law, including a provision of
2 this section, ~~or~~ a board brand inspection or animal health
3 rule or regulation or a board order.

4
5 **11-20-401. Brand inspection fees generally.**

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7 (c) The board may allow the inspection, permitting,
8 payment and reporting requirements of this chapter to be
9 conducted electronically as provided by the Uniform
10 Electronic Transactions Act, W.S. 40-21-101 through
11 40-21-119, and any applicable federal electronic
12 requirements.

13
14 **11-20-409. Issuance of certificate.**

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

23
24 **11-24-101. Definitions.**

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2 (a) As used in this act:

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4 (v) "Livestock" means as defined in W.S.

5 ~~23-1-102(a)(xvi)~~ 11-20-101(a)(iv);

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7 **Section 2.** W.S. 11-20-212(e) and 11-20-223(e) are
8 repealed.

9

10 **Section 3.** This act is effective July 1, 2013.

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(END)