

House Bill 3680

Sponsored by Representatives GOMBERG, MCINTIRE, LEVY B, BREESE-IVERSON; Representatives BOICE, BOSCHART DAVIS, HELM, SCHARF, SMITH G, WALLAN

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act increases the amounts of some fees related to livestock brands. (Flesch Readability Score: 60.7).

Increases fees related to livestock brands.

A BILL FOR AN ACT

1
2 Relating to livestock brands; amending ORS 604.027 and 604.066.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 604.027 is amended to read:

5 604.027. (1) A person desiring to record a brand on any species of livestock shall submit a
6 written and signed application therefor to the State Department of Agriculture, setting forth a fac-
7 simile and description of the brand, the species of livestock upon which it will be used and the
8 specific intended location on the animal. The application must be accompanied by a brand
9 [*recording*] **conflict research** fee of \$25 for each brand on each species of livestock on which the
10 brand is to be used. The person must also pay an activation fee matching the cycle set for the ap-
11 proved brand under subsection (4) of this section prior to recordation of the brand. The activation
12 fee may not exceed [*\$100*] **\$200**. Upon receipt of an application and the required fees, if the depart-
13 ment determines that the brand applied for is available, the department shall issue a certificate of
14 recordation of the distinctive brand, the approved location on the animal and the species of livestock
15 to which it applies.

16 (2) During September of each year the department shall attempt to notify all holders of an ex-
17 piring recorded brand of the need to renew the brand. The department shall attempt the notification
18 by sending a renewal notice to the holder's last address as shown on the department's records. The
19 holder of a recorded brand may renew the brand by submitting to the department a brand renewal
20 fee for each brand on each species of livestock on which the brand is to be used. The brand renewal
21 fee may not exceed [*\$100*] **\$200**. However, if the species of livestock is sheep, the fee may not exceed
22 \$50.

23 (3) A recorded brand expires if the department does not receive the brand renewal fee by Jan-
24 uary 4 next following the attempt to notify the brand holder of the need to renew the brand. Within
25 60 days after a brand expires, the department shall give written notice of the expiration by mail
26 addressed to the person who held the expired brand at the last address shown on the department's
27 records. The fee to activate an expired brand is equal to the brand [*recording*] **conflict research** fee
28 plus a renewal fee. If the person fails to activate the expired brand within one year after expiration
29 of the brand, the brand is considered abandoned and any person may apply for recordation and use
30 of that brand.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 (4) When issuing or renewing a brand recordation, the department shall adjust certificate expi-
 2 ration dates as necessary to ensure that an approximately equal number of brand recordation expire
 3 in each year of a four-year cycle. The department shall prorate a brand renewal fee to reflect an
 4 adjustment of a certificate expiration date.

5 (5) The department shall establish the amount of brand activation fees and brand renewal fees
 6 by rule.

7 **SECTION 2.** ORS 604.066 is amended to read:

8 604.066. (1) Except as provided in subsection (2) of this section, the State Department of Agri-
 9 culture shall charge and collect a brand inspection fee in accordance with the following:

10 (a) \$30 for a lifetime brand inspection for Equidae;

11 (b) \$10 per head for a brand inspection for Equidae, if the brand inspection certificate utilized
 12 is valid for more than eight days but less than a lifetime; or

13 (c) \$10 per head for a brand inspection on livestock other than Equidae, if the brand inspection
 14 certificate utilized is valid for more than eight days.

15 (2) In accordance with the provisions of ORS chapter 183, the department shall establish a brand
 16 inspection fee on cattle and cattle hides for which a brand inspection certificate is valid for eight
 17 days. The fee shall be not less than [~~\$1~~] **\$1.35** and not more than [~~\$1.35~~] **\$1.75** per head of cattle and
 18 not more than [~~\$2~~] **\$2.50** per hide.

19 (3) Except as provided in this subsection or subsection (4) of this section, the person requesting
 20 or requiring brand inspection to be performed shall pay the State Department of Agriculture a brand
 21 inspection fee and the assessments authorized under ORS 577.512. Livestock auction markets,
 22 slaughterhouses and custom slaughtering establishments at which brand inspection is performed
 23 shall collect the fees and assessments and forward them to the department. The person requesting
 24 or requiring brand inspection for cattle delivered to a livestock auction market is not required to
 25 pay a brand inspection fee on cattle whose value is \$10 or less. The person requesting or requiring
 26 brand inspection is not required to pay a brand inspection fee on cattle not more than 90 days of
 27 age that are to be transported with their mothers to a range or pastureland outside of this state.

28 (4) The person requesting or requiring brand inspection is not required to pay a brand in-
 29 spection fee or pay assessments when Oregon cattle are being transported from any place in this
 30 state to any place outside of this state and then returned to this state, if the movement is continuous
 31 without unloading enroute, is done in the usual course of ranch operations and is not related to a
 32 change of ownership.

33 (5) Except as provided in ORS 577.512, the department shall deposit all fees paid to it under this
 34 chapter in the State Treasury to the credit of the Department of Agriculture Service Fund, and such
 35 fees are continuously appropriated to the department for administering and enforcing this chapter.
 36 The provisions of ORS 561.144 apply to such fees.

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