# A-Engrossed
# Senate Bill 1019

Ordered by the Senate April 16
Including Senate Amendments dated April 16

Sponsored by Senator NASH

## 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. The statement includes a measure digest written in compliance with applicable readability standards.

**Digest: The Act increases the maximum fees related to brands on livestock. The Act says that an agency may contract with others to perform brand inspections, and allows the agency to create a program for livestock owners to self-inspect their branded livestock. The Act directs LPRO to conduct a study about brands. The Act takes effect when it is signed. (Flesch Readability Score: 61.3).**

[*Digest: The Act increases the maximum for fees related to brands on livestock. The Act says that certain brand program requirements do not apply to dairy cows. The Act repeals the brand program later. (Flesch Readability Score: 64.9).*]

Increases the maximum fee for activating a brand.

Increases the maximum brand inspection fee on cattle for which a brand inspection certificate is valid for eight days.

[*Exempts dairy cattle from certain brand program requirements.*]

[*Repeals the brand program on January 2, 2028. Authorizes counties to establish brand programs.*]

**Authorizes the State Department of Agriculture to contract with qualified persons to perform brand inspection services. Authorizes the department to establish a self-inspection program that permits livestock owners to conduct brand inspections of their livestock.**

**Directs the Legislative Policy and Research Director to evaluate the state brand inspection program and compare Oregon's program with the brand inspection programs of other states.**

**Declares an emergency, effective on passage.**

## A BILL FOR AN ACT

Relating to brands; creating new provisions; amending ORS 604.027 and 604.066; and declaring an emergency.

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

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

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

(2) During September of each year the department shall attempt to notify all holders of an ex-

**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.

piring recorded brand of the need to renew the brand. The department shall attempt the notification by sending a renewal notice to the holder's last address as shown on the department's records. The holder of a recorded brand may renew the brand by submitting to the department a brand renewal fee for each brand on each species of livestock on which the brand is to be used. The brand renewal fee may not exceed [*$100*] **$200**. However, if the species of livestock is sheep, the fee may not exceed $50.

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

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

(5) **Except as otherwise provided in this section,** the department shall establish the amount of brand activation fees and brand renewal fees by rule.

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

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

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

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

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

(2) In accordance with the provisions of ORS chapter 183 **and except as otherwise provided in this subsection**, the department shall establish a brand inspection fee on cattle and cattle hides for which a brand inspection certificate is valid for eight days. The fee shall be [*not less than $1 and not more than $1.35*] **$1.75** per head of cattle and not more than $2 per hide.

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

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

change of ownership.

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

**SECTION 3. The amendments to ORS 604.027 and 604.066 by sections 1 and 2 of this 2025 Act become operative on August 1, 2025.**

**SECTION 4. (1) Notwithstanding any other provision of ORS chapter 599 or 604, the State Department of Agriculture may enter into a contract with a qualified person to perform brand inspection services on behalf of the department.**

**(2) Without limiting other terms of a contract described in this section, a person performing brand inspection services on behalf of the department must:**

**(a) Comply with the standards, procedures and requirements established by the department in rule, in the contract or in both rule and contract; and**

**(b) Pay the department fees at levels sufficient for the department to fully recover the costs incurred by the department for developing, administering and enforcing a contract described in this section.**

**(3) The department may adopt rules to implement this section.**

**SECTION 5. (1) Notwithstanding any other provision of ORS chapter 604, the State Department of Agriculture may establish a self-inspection program that allows an owner to conduct brand inspections on the owner's livestock, subject to the requirements of this section.**

**(2) A person is eligible to participate in the self-inspection program if:**

**(a) The person is the sole owner of the livestock and holds a brand registered with the department under ORS 604.027;**

**(b) The self-inspection applies only to livestock transactions or movements involving 25 or fewer head per event within a 24-hour period; and**

**(c) The owner complies with all rules adopted by the department for participation in the program.**

**(3) The department may revoke, suspend or deny self-inspection privileges if the owner engages in gross negligence, willful misconduct or repeated violations of this section or any rule adopted under this section. A person whose self-inspection privileges are revoked, suspended or denied under this subsection may submit a written request for reconsideration to the department within a period established by the department by rule.**

**(4) The department shall establish fees for participation in the self-inspection program in amounts sufficient for the department to recover the department's administrative, enforcement and oversight costs.**

**(5) The department may adopt rules to implement this section.**

**SECTION 6. (1) Sections 4 and 5 of this 2025 Act become operative on January 1, 2026.**

**(2) The State Department of Agriculture may adopt rules to implement sections 4 and 5 of this 2025 Act before the operative date specified in subsection (1) of this section.**

**SECTION 7. (1) The Legislative Policy and Research Director shall conduct a study on the brand inspection program of the State Department of Agriculture to evaluate the program structure, funding mechanisms and effectiveness in meeting statutory requirements. The director shall include in the study a comparative analysis of how other states administer**

**brand inspection programs.**

**(2) The director shall prepare a report summarizing the findings of the study. The report shall be submitted to the interim committees of the Legislative Assembly related to agriculture and natural resources no later than October 31, 2025.**

**SECTION 8. This 2025 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect on its passage.**