

SB 1019-2
(LC 1697)
3/21/25 (DJ/AG/ps)

Requested by Senator NASH

**PROPOSED AMENDMENTS TO
SENATE BILL 1019**

1 On page 1 of the printed bill, line 2, after “ORS” delete the rest of the
2 line and lines 3 through 5 and insert “604.027 and 604.066; and declaring an
3 emergency.”.

4 Delete lines 7 through 27 and delete pages 2 through 11 and insert:

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

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

20 “(2) During September of each year the department shall attempt to notify
21 all holders of an expiring recorded brand of the need to renew the brand.

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

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

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

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

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

25 “604.066. (1) Except as provided in subsection (2) of this section, the State
26 Department of Agriculture shall charge and collect a brand inspection fee
27 in accordance with the following:

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

29 “(b) \$10 per head for a brand inspection for Equidae, if the brand in-
30 spection certificate utilized is valid for more than eight days but less than

1 a lifetime; or

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

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

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

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

27 “(5) Except as provided in ORS 577.512, the department shall deposit all
28 fees paid to it under this chapter in the State Treasury to the credit of the
29 Department of Agriculture Service Fund, and such fees are continuously ap-
30 propriated to the department for administering and enforcing this chapter.

1 The provisions of ORS 561.144 apply to such fees.

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

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

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

11 **“(a) Comply with the standards, procedures and requirements es-**
12 **tablished by the department in rule, in the contract or in both rule**
13 **and contract; and**

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

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

18 **“SECTION 5. (1) Notwithstanding any other provision of ORS**
19 **chapter 604, the State Department of Agriculture may establish a**
20 **self-inspection program that allows an owner to conduct brand in-**
21 **spections on the owner’s livestock, subject to the requirements of this**
22 **section.**

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

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

27 **“(b) The self-inspection applies only to livestock transactions or**
28 **movements involving 25 or fewer head per event within a 24-hour pe-**
29 **riod; and**

30 **“(c) The owner complies with all rules adopted by the department**

1 for participation in the program.

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

9 “(4) The department shall establish fees for participation in the
10 self-inspection program in amounts sufficient for the department to
11 recover the department’s administrative, enforcement and oversight
12 costs.

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

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

16 “(2) The State Department of Agriculture may adopt rules to im-
17 plement sections 4 and 5 of this 2025 Act before the operative date
18 specified in subsection (1) of this section.

19 “SECTION 7. (1) The Legislative Policy and Research Director shall
20 conduct a study on the brand inspection program of the State De-
21 partment of Agriculture to evaluate the program structure, funding
22 mechanisms and effectiveness in meeting statutory requirements.

23 “(2) The director, as part of the study, shall convene a task force
24 described in subsection (3) of this section to:

25 “(a) Assess the efficiency and sustainability of the brand inspection
26 program, including funding sources and fee structures;

27 “(b) Identify challenges related to brand inspection, enforcement
28 and program administration;

29 “(c) Conduct a comparative analysis of how other states administer
30 brand inspection programs; and

1 “(d) Consider potential policy changes to modernize the program
2 while maintaining the program’s effectiveness.

3 “(3) The task force shall consist of:

4 “(a) Representatives of livestock organizations selected by the di-
5 rector;

6 “(b) Individual livestock operations owners selected by the director;

7 “(c) Representatives of the State Department of Agriculture; and

8 “(d) Two members of the House of Representatives selected by the
9 Speaker of the House of Representatives and two members of the
10 Senate selected by the President of the Senate.

11 “(4) The director shall prepare a report summarizing the findings
12 of the study and the recommendations of the task force. The report
13 shall be submitted to the interim committees of the Legislative As-
14 sembly that are related to agriculture and natural resources no later
15 than September 30, 2026.

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