

REQUIRES TWO-THIRDS MAJORITY VOTE (§§ 10, 15)

(Reprinted with amendments adopted on May 15, 2003)

SECOND REPRINT

S.B. 486

SENATE BILL NO. 486—COMMITTEE ON NATURAL RESOURCES

(ON BEHALF OF THE DEPARTMENT OF AGRICULTURE)

MARCH 24, 2003

Referred to Committee on Natural Resources

SUMMARY—Makes various changes regarding livestock and other animals. (BDR 50-570)

FISCAL NOTE: Effect on Local Government: Yes.  
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to animals; increasing the number of persons on the State Board of Agriculture; abolishing the State Board of Sheep Commissioners; transferring the powers and duties of the State Board of Sheep Commissioners to the State Board of Agriculture and the State Quarantine Officer; establishing a minimum for the special tax on sheep; revising provisions governing the payment of administrative expenses incurred by the State Board of Agriculture; authorizing a fee for brand inspections; providing for the gathering and disposition of feral livestock; abolishing the Nevada Beef Council; repealing the tax to promote beef; making various changes relating to quarantines of livestock and other animals; providing in certain circumstances for the recovery of the full appraised value of diseased animals which are destroyed; providing penalties; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:



\* S B 4 8 6 R 2 \*

1       **Section 1.** NRS 561.045 is hereby amended to read as follows:  
2       561.045 There is hereby created in the Department a State  
3 Board of Agriculture composed of ~~10~~ **11** members appointed by  
4 the Governor.

5       **Sec. 2.** NRS 561.055 is hereby amended to read as follows:  
6       561.055 1. Three members of the Board must be actively  
7 engaged in range or semirange cattle production, one in ~~dairying,~~  
8 **dairy production, one in range or semirange sheep production,**  
9 one in general farming, one in general agriculture, one in growing  
10 crops which are planted in rows spaced to permit mechanical  
11 cultivation, one in the control of pests, one in the petroleum industry  
12 and one in raising nursery stock.

13       2. Not more than two members may be residents of the same  
14 county, and the range or semirange cattle production members must  
15 be residents of different counties.

16       **Sec. 3.** NRS 561.218 is hereby amended to read as follows:  
17       561.218 1. The Director shall appoint a person to manage the  
18 activities of the Department relating to natural resources, land use  
19 planning and the management and control of wild horses ~~and~~  
20 **estrays,** **estrays and feral livestock.** The person must be appointed  
21 on the basis of merit and is in the unclassified service of the State.  
22 The Director may remove the person from office with the approval  
23 of the Board.

24       2. The person appointed shall:  
25       (a) Establish and carry out a policy for the management and  
26 control of estrays and the preservation and allocation of natural  
27 resources necessary to advance and protect the livestock and  
28 agricultural industries in this state.

29       (b) Develop cooperative agreements and working relationships  
30 with federal and state agencies and local governments for land use  
31 planning and the preservation and allocation of natural resources  
32 necessary to advance and protect the livestock and agricultural  
33 industries in this state.

34       (c) Cooperate with private organizations and governmental  
35 agencies to develop procedures and policies for the management and  
36 control of wild horses.

37       (d) Monitor gatherings of estrays **and feral livestock** conducted  
38 pursuant to the provisions of NRS 569.040 to 569.130, inclusive,  
39 **and section 30 of this act,** and assist district brand inspectors in  
40 identifying estrays before they are sold or given a placement or  
41 other disposition through a cooperative agreement established  
42 pursuant to NRS 569.031.

43       (e) Provide the members of the general public with information  
44 relating to the activities of the Department and solicit



1 recommendations from the members of the general public and  
2 advisory groups concerning those activities.

3 (f) Make assessments of the level of competition between  
4 livestock and wildlife for food and water, collect data concerning  
5 the movement of livestock and perform activities necessary to  
6 control noxious weeds.

7 (g) Participate in land use planning relating to the competition  
8 for food and water between livestock and wildlife to ensure the  
9 maintenance of the habitat of both livestock and wildlife.

10 (h) Present testimony, conduct research and prepare reports for  
11 the Governor, the Legislature, the Director and any other person or  
12 governmental entity as directed by the Director.

13 (i) Develop and carry out a program to educate the members of  
14 the general public concerning the programs administered by the  
15 Department, including programs for the management and control of  
16 estrays ~~[ ]~~ *and feral livestock.*

17 (j) Make proposals to the Director for the amendment of the  
18 regulations adopted by the Board pursuant to NRS 561.105.

19 (k) Perform such other duties as directed by the Director.

20 3. As used in this section:

21 (a) "Estray" has the meaning ascribed to it in ~~[NRS 569.005.]~~  
22 *section 27 of this act.*

23 (b) *"Feral livestock" has the meaning ascribed to it in section*  
24 *28 of this act.*

25 (c) "Wild horse" has the meaning ascribed to it in NRS 504.430.

26 **Sec. 4.** NRS 561.305 is hereby amended to read as follows:

27 561.305 The Department shall establish and maintain a  
28 laboratory for the following purposes:

29 1. The diagnosis of infectious, contagious and parasitic  
30 diseases of ~~[livestock,]~~ *animals*, as may be necessary under the  
31 provisions of chapter 571 of NRS.

32 2. The diagnosis of infectious, contagious and parasitic  
33 diseases of bees, as may be necessary under the provisions of NRS  
34 552.085 to 552.310, inclusive.

35 3. The diagnosis of infectious, contagious and destructive  
36 diseases of agricultural commodities, and infestations thereof by  
37 pests, as may be necessary under the provisions of NRS 554.010 to  
38 554.240, inclusive.

39 4. The survey and identification of insect pests, plant diseases  
40 and noxious weeds, and the maintenance of a herbarium, as may be  
41 necessary under the provisions of NRS 555.010 to 555.249,  
42 inclusive.

43 5. The testing of pesticides, as may be necessary under the  
44 provisions of NRS 555.2605 to 555.460, inclusive, and 586.010 to  
45 586.450, inclusive.



1 6. The safekeeping and maintenance of official standards of  
2 weights and measures, as may be necessary under the provisions of  
3 chapter 581 of NRS.

4 7. The testing and grading of agricultural products and the  
5 testing of the purity and germinating power of agricultural seeds and  
6 the testing of the spray residue contained in produce, as may be  
7 necessary under the provisions of chapter 587 of NRS.

8 8. The analysis and testing of commercial fertilizers and  
9 agricultural minerals, as may be necessary under the provisions of  
10 NRS 588.010 to 588.350, inclusive.

11 9. The analysis and testing of petroleum products, as may be  
12 necessary under the provisions of NRS 590.010 to 590.150,  
13 inclusive.

14 10. The analysis and testing of antifreeze, as may be necessary  
15 under the provisions of NRS 590.340 to 590.450, inclusive.

16 11. Any laboratory examinations, diagnoses, analyses or  
17 testing as may be deemed necessary by the Director and which can  
18 be made with equipment available in any such laboratory. Any  
19 resident of this state may submit samples to the Department for  
20 examination, diagnosis, analysis or testing, subject to such rules and  
21 regulations as may be adopted by the Director.

22 **Sec. 5.** NRS 561.335 is hereby amended to read as follows:

23 561.335 1. The Revolving Account for Agriculture Working  
24 Capital in the amount of \$10,000 is hereby created for the use of the  
25 Department.

26 2. The Account must be used specifically for carrying out the  
27 provisions of NRS 569.005 to 569.080, inclusive, *and sections 24 to*  
28 *30, inclusive, of this act*, and 569.100 to 569.130, inclusive.

29 3. The Account may be used for:

30 (a) Paying the expenses of all programs and laws administered  
31 by the Department, except expenses related to estrays *and feral*  
32 *livestock* which are required to be paid pursuant to NRS 569.090.  
33 The Account must be reimbursed promptly from the proper funds in  
34 the State Treasury by claims paid as other claims against the State  
35 are paid for any expenses paid pursuant to this paragraph.

36 (b) Providing advance money to officers and employees of the  
37 Department for travel expenses and subsistence allowances arising  
38 out of their official duties or employment. Such an advance  
39 constitutes a lien in favor of the Department upon the accrued wages  
40 of the requesting officer or employee in an amount equal to the sum  
41 advanced, but the Director may advance more than the amount of  
42 the accrued wages of the officer or employee. Upon the return of the  
43 officer or employee, he is entitled to receive any authorized  
44 expenses and subsistence in excess of the amount advanced, and a



1 sum equal to the advance must be paid into the Revolving Account  
2 for Agriculture Working Capital.

3 (c) Making grants and loans for any purpose authorized by  
4 subsection 2 of NRS 561.445. Any loan or grant made pursuant to  
5 this paragraph must be reimbursed promptly, as other claims against  
6 the State are paid, from the money deposited in the State Treasury  
7 pursuant to subsection 1 of NRS 561.445.

8 4. The Revolving Account for Agriculture Working Capital  
9 must be deposited in a bank or credit union qualified to receive  
10 deposits of public money and the deposit must be secured by a  
11 depository bond satisfactory to the State Board of Examiners.

12 **Sec. 6.** NRS 561.344 is hereby amended to read as follows:

13 561.344 1. The Livestock Inspection Account is hereby  
14 created in the State General Fund for the use of the Department.

15 2. The following special taxes, fees and other money must be  
16 deposited in the Livestock Inspection Account:

17 (a) All special taxes on livestock as provided by law . ~~[-, except~~  
18 ~~the assessment collected pursuant to NRS 565.075 and any tax~~  
19 ~~levied pursuant to NRS 575.070.]~~

20 (b) Fees and other money collected pursuant to the provisions of  
21 chapter 564 of NRS.

22 (c) Fees collected pursuant to the provisions of chapter 565 of  
23 NRS.

24 (d) Unclaimed proceeds from the sale of estrays *and feral*  
25 *livestock* by the Department pursuant to NRS 569.005 to 569.130,  
26 inclusive, *and sections 24 to 30, inclusive, of this act*, or proceeds  
27 required to be deposited in the Livestock Inspection Account  
28 pursuant to a cooperative agreement established pursuant to  
29 NRS 569.031.

30 (e) Fees collected pursuant to the provisions of chapter 573 of  
31 NRS.

32 (f) Fees collected pursuant to the provisions of chapter 576 of  
33 NRS.

34 (g) Laboratory fees collected for the diagnosis of infectious,  
35 contagious and parasitic diseases of ~~[livestock,]~~ *animals*, as  
36 authorized by NRS 561.305, and as are necessary pursuant to the  
37 provisions of chapter 571 of NRS.

38 3. Expenditures from the Livestock Inspection Account must  
39 be made only for carrying out the provisions of this chapter and  
40 chapters 564, 569, 571, 573 and 576 of NRS.

41 4. The interest and income earned on the money in the  
42 Livestock Inspection Account, after deducting any applicable  
43 charges, must be credited to the Account.



1     **Sec. 7.** NRS 562.010 is hereby amended to read as follows:  
2     562.010 As used in this chapter, "Board" means the State  
3 Board of ~~[Sheep Commissioners.]~~ *Agriculture.*

4     **Sec. 8.** NRS 562.130 is hereby amended to read as follows:  
5     562.130 The Board may:

6     1. Employ a secretary and such inspectors and other employees  
7 as it may find necessary to carry out the provisions of this chapter.

8     2. Prescribe the duties and fix the compensation and travel and  
9 subsistence expenses of its employees and volunteers.

10    3. Require such bonds from its inspectors as it determines  
11 necessary.

12    4. Request the Director of the State Department of Agriculture  
13 to designate, pursuant to NRS 561.225, one or more employees of  
14 the Department to issue sheep permits. ~~[and act as sheep inspectors  
15 if the Board and its inspectors are unable to do so.]~~

16    **Sec. 9.** NRS 562.150 is hereby amended to read as follows:

17    562.150 The Board shall render a *written* report of its activities  
18 ~~[in writing]~~ *relating to the implementation of this chapter* to the  
19 Governor on or before October 31, ~~[1968,]~~ *2003*, and each 2 years  
20 thereafter.

21    **Sec. 10.** NRS 562.170 is hereby amended to read as follows:

22    562.170 1. ~~[The]~~ *Except as otherwise provided in this*  
23 *section, the* rate of tax fixed by the Board, as provided for in NRS  
24 562.160, must not exceed the equivalent of 18 cents per head on all  
25 sheep. *The minimum tax that must be paid annually by an owner*  
26 *of sheep is \$5.*

27    2. The tax paid by an owner of sheep must be deposited in the  
28 state or county treasury in which the State Sheep Inspection  
29 Account is located for credit to that Account. The money in the  
30 State Sheep Inspection Account must be made available and  
31 disbursed by the proper state or county officials upon request of the  
32 Board for the purposes provided for in this chapter.

33    **Sec. 11.** NRS 562.220 is hereby amended to read as follows:

34    562.220 1. The salaries, compensation and expenses  
35 provided for in this chapter must be paid out of the State Sheep  
36 Inspection Account.

37    2. *Necessary administrative expenses incurred by the Board*  
38 *in carrying out the provisions of this chapter may be paid from the*  
39 *State Sheep Inspection Account, except that such administrative*  
40 *expenses must not exceed 5 percent of the annual collected tax*  
41 *receipts.*

42    **Sec. 12.** NRS 562.250 is hereby amended to read as follows:

43    562.250 ~~[The Board shall have]~~

44    1. *Except as otherwise provided in subsection 2, the Board*  
45 *has* exclusive control of all matters pertaining to the sheep industry.



1       2. *The State Quarantine Officer has exclusive authority over*  
2 *matters concerning diseases of sheep and may adopt such*  
3 *regulations as are necessary to carry out his duties pursuant to*  
4 *this subsection.*

5       **Sec. 13.** NRS 562.270 is hereby amended to read as follows:  
6       562.270 The Board ~~{shall have the power to}~~ *may* make and  
7 enforce ~~[-~~

8 ~~—1. Rules and regulations for governing itself.~~  
9 ~~—2. Rules}~~ *rules* and regulations deemed necessary by it for the  
10 enforcement of the provisions of this chapter.

11       **Sec. 14.** (Deleted by amendment.)

12       **Sec. 15.** NRS 562.460 is hereby amended to read as follows:  
13       562.460 1. Each inspector shall:

14       (a) ~~{Inspect all the sheep within the district assigned to him~~  
15 ~~when so ordered by the Board.~~

16 ~~—(b) Make and issue a certificate or bill of health for all sheep~~  
17 ~~whose owners have complied with the law and the orders, rules and~~  
18 ~~regulations made and adopted by the Board.~~

19 ~~—2. Each certificate or bill of health shall describe the sheep with~~  
20 ~~the marks and brands thereon, which certificate or bill of health~~  
21 ~~shall entitle the owner or agent in charge to pass with such sheep~~  
22 ~~from one district to another in the State.~~

23 ~~—3. The inspector shall immediately file with the Board a~~  
24 ~~duplicate of all certificates issued by him.}~~ *At the request of the*  
25 *owner of sheep, perform a brand inspection of the sheep for*  
26 *brands or marks; and*

27       (b) *Upon the completion of such an inspection, issue a brand*  
28 *inspection clearance certificate in accordance with NRS 565.120.*

29       2. *The State Department of Agriculture may levy and collect*  
30 *a reasonable fee for brand inspections as authorized under the*  
31 *provisions of this chapter. Any fee so levied must be collected in*  
32 *the manner prescribed by the Director of the Department and*  
33 *deposited into the Livestock Inspection Account.*

34       **Sec. 16.** NRS 567.030 is hereby amended to read as follows:

35       567.030 The Committee consists of five members. ~~{One~~  
36 ~~member}~~ *Two members* must be designated ~~{from among its~~  
37 ~~members}~~ by the State Board of Agriculture ~~[-] from among its~~  
38 ~~members, one of which must be the appointee for range or~~  
39 ~~semirange sheep production.~~ One member must be designated  
40 ~~{from among its members}~~ by the Board of Wildlife Commissioners  
41 ~~[- One member must be designated}~~ from among its members . ~~{by~~  
42 ~~the State Board of Sheep Commissioners.}~~ One member must be  
43 designated ~~{from among its members}~~ by the State Board of Health  
44 ~~[-] from among its members.~~ One member must be designated



1 ~~[[from among its members]]~~ by the Nevada Farm Bureau ~~[[ ]]~~ *from*  
2 *among its members.*

3 **Sec. 17.** NRS 567.040 is hereby amended to read as follows:  
4 567.040 1. Upon and following its organization the  
5 Committee shall select its own Chairman.

6 2. The Secretary of the State Board of ~~[[Sheep Commissioners]]~~  
7 *Agriculture* shall serve as Secretary of the Committee.

8 **Sec. 18.** NRS 567.060 is hereby amended to read as follows:  
9 567.060 1. The office of the Committee must be located in  
10 the office of the State Board of ~~[[Sheep Commissioners.]]~~  
11 *Agriculture.*

12 2. Such miscellaneous administrative expenses as are necessary  
13 for the conduct of the Committee's affairs, aside from travel and  
14 subsistence expenses of the members and the Secretary, such as  
15 stationery and postage, must be paid from and are a proper charge  
16 against the State Sheep Inspection Account of the State Board of  
17 ~~[[Sheep Commissioners.]]~~ *Agriculture.*

18 **Sec. 19.** NRS 567.100 is hereby amended to read as follows:  
19 567.100 As used in NRS 567.100 to 567.170, inclusive:  
20 1. "Board" means the State Board of ~~[[Sheep Commissioners.]]~~  
21 *Agriculture.*

22 2. "Committee" means the Committee to Control Predatory  
23 Animals of the State Board of ~~[[Sheep Commissioners.]]~~ *Agriculture.*

24 **Sec. 20.** NRS 567.110 is hereby amended to read as follows:  
25 567.110 1. Upon receipt of the reports from the committee  
26 for assessing livestock pursuant to NRS 575.180, the ~~[[State Board of~~  
27 ~~Sheep Commissioners.]]~~ *Board,* acting as the Committee to Control  
28 Predatory Animals, may levy an annual special tax of not to exceed  
29 the equivalent of 20 cents per head on all sheep and goats.

30 2. The special tax is designated as the tax for control of  
31 predatory animals.

32 3. Notice of the tax must be sent by the Board to the county  
33 assessor or treasurer of each county that is administering the special  
34 taxes on livestock, and to the State Department of Agriculture on or  
35 before the first Monday in May of each year.

36 **Sec. 21.** NRS 567.110 is hereby amended to read as follows:  
37 567.110 1. Upon receipt of the reports from the State  
38 Department of Agriculture pursuant to NRS 575.180, the ~~[[State~~  
39 ~~Board of Sheep Commissioners.]]~~ *Board,* acting as the Committee to  
40 Control Predatory Animals, may levy an annual special tax of not to  
41 exceed the equivalent of 20 cents per head on all sheep and goats.

42 2. The special tax is designated as the tax for control of  
43 predatory animals.





1 3. Notice of the tax must be sent by the Board to the State  
2 Department of Agriculture on or before the first Monday in May of  
3 each year.

4 **Sec. 22.** NRS 567.170 is hereby amended to read as follows:

5 567.170 ~~[Administrative expenses necessary on the part of]~~  
6 *Necessary administrative expenses incurred by* the Board in  
7 carrying out the provisions of NRS 567.100 to 567.170, inclusive,  
8 are a proper charge against and payable from the State Sheep  
9 Inspection Account ~~[ ]~~, *except that such administrative expenses*  
10 *must not exceed 5 percent of the annual collected tax receipts.*

11 **Sec. 23.** Chapter 569 of NRS is hereby amended by adding  
12 thereto the provisions set forth as sections 24 to 30, inclusive, of this  
13 act.

14 **Sec. 24.** *“Alternative livestock” has the meaning ascribed to*  
15 *it in NRS 501.003.*

16 **Sec. 25.** *“Department” means the State Department of*  
17 *Agriculture.*

18 **Sec. 26.** *“Director” means the Director of the Department.*

19 **Sec. 27.** *“Estray” means any domesticated livestock or*  
20 *progeny of domesticated livestock showing signs of domestication,*  
21 *running at large upon public or private lands in the State of*  
22 *Nevada, whose owner is unknown in the section where the animal*  
23 *is found.*

24 **Sec. 28.** *“Feral livestock” means any formerly domesticated*  
25 *livestock or progeny of domesticated livestock which have become*  
26 *wild and are running at large upon public or private lands in the*  
27 *State of Nevada, and which have no physical signs of*  
28 *domestication. The term does not include horses or burros that are*  
29 *subject to the jurisdiction of the Federal Government pursuant to*  
30 *the Wild Free-Roaming Horses and Burros Act, 16 U.S.C. §§ 1331*  
31 *to 1340, inclusive, and any regulations adopted pursuant thereto,*  
32 *or any other federal statute or regulation.*

33 **Sec. 29.** *“Livestock” means:*

- 34 1. *All cattle or animals of the bovine species;*
- 35 2. *All horses, mules, burros and asses or animals of the*  
36 *equine species;*
- 37 3. *All swine or animals of the porcine species;*
- 38 4. *All goats or animals of the caprine species;*
- 39 5. *All sheep or animals of the ovine species;*
- 40 6. *All poultry or domesticated fowl or birds; and*
- 41 7. *All alternative livestock.*

42 **Sec. 30.** 1. *The Department may sell all feral livestock*  
43 *which it has gathered if the Department determines that the sale of*  
44 *the feral livestock is necessary to facilitate the placement or other*  
45 *disposition of the feral livestock.*



1       2. *Except as otherwise provided in subsection 3, before the*  
 2 *Department may sell feral livestock, the Department must publish*  
 3 *notice of the sale of the feral livestock in a newspaper published at*  
 4 *the county seat of the county in which the gathering of the feral*  
 5 *livestock occurred. If there is no newspaper published at the*  
 6 *county seat of the county, the notice must be published in the*  
 7 *newspaper published at the nearest point to that county seat. A*  
 8 *notice of a sale published pursuant to this section need not include*  
 9 *full descriptions of the feral livestock, but may include such*  
 10 *information and details as the Department determines necessary.*

11       3. *The Department may sell injured, sick or otherwise*  
 12 *debilitated feral livestock if, as determined by the Department, the*  
 13 *sale of the feral livestock is necessary to facilitate the placement or*  
 14 *other disposition of the feral livestock. If feral livestock is sold*  
 15 *pursuant to this subsection, the Department shall give a brand*  
 16 *inspection clearance certificate to the purchaser.*

17       **Sec. 31.** NRS 569.005 is hereby amended to read as follows:  
 18       569.005 As used in NRS 569.005 to 569.130, inclusive, *and*  
 19 *sections 24 to 30, inclusive, of this act*, unless the context otherwise  
 20 requires ~~†~~

- 21 ~~—1. “Department” means the State Department of Agriculture.~~
- 22 ~~—2. “Director” means the Director of the Department.~~
- 23 ~~—3. “Estray” means any livestock running at large upon public~~  
 24 ~~or private lands in the State of Nevada, whose owner is unknown in~~  
 25 ~~the section where the animal is found.~~
- 26 ~~—4. “Livestock” means:~~
  - 27 ~~—(a) All cattle or animals of the bovine species;~~
  - 28 ~~—(b) All horses, mules, burros and asses or animals of the equine~~  
 29 ~~species;~~
  - 30 ~~—(c) All swine or animals of the porcine species;~~
  - 31 ~~—(d) All goats or animals of the caprine species;~~
  - 32 ~~—(e) All sheep or animals of the ovine species; and~~
  - 33 ~~—(f) All poultry or domesticated fowl or birds.] , the words and~~  
 34 *terms defined in sections 24 to 29, inclusive, of this act have the*  
 35 *meanings ascribed to them in those sections.*

36       **Sec. 32.** NRS 569.010 is hereby amended to read as follows:  
 37       569.010 1. Except as otherwise provided by law, all estrays  
 38 *and feral livestock* within this state shall be deemed for the purpose  
 39 of this section to be the property of the Department.

40       2. The Department has all rights accruing pursuant to the laws  
 41 of this state to owners of those animals, and may:

- 42       (a) Dispose of estrays *and feral livestock* by sale through an  
 43 agent appointed by the Department; or



1 (b) Provide for the control, placement or disposition of estrays  
2 *and feral livestock* through cooperative agreements pursuant to  
3 NRS 569.031.

4 3. Except as otherwise provided by law, all money collected  
5 for the sale or for the injury or killing of any such animals must be  
6 held for 1 year, subject to the claim of any person who can establish  
7 legal title to any animal concerned. All money remaining unclaimed  
8 must be deposited in the Livestock Inspection Account after 1 year.  
9 The Department may disallow all claims if it deems the claims  
10 illegal or not showing satisfactory evidence of title.

11 4. The Department or any political subdivision of this state is  
12 not liable for any trespass or other damage caused by any of those  
13 estrays ~~or~~ *feral livestock*.

14 **Sec. 33.** NRS 569.020 is hereby amended to read as follows:

15 569.020 1. Any county, city, town, township or other peace  
16 officer or poundmaster who impounds under the provisions of any  
17 state law or county or municipal ordinance any livestock shall,  
18 immediately after impounding the livestock, send a written notice to  
19 the Department.

20 2. The notice must contain a full description, including all  
21 brands and marks, sex, age, weight, color and kind, of each animal  
22 so impounded.

23 3. ~~For the sale of livestock if~~ the owner of the livestock is  
24 not known, and ~~in case of~~ *for* the sale of the impounded livestock  
25 as prescribed by law, all notices posted or advertisements published  
26 by any officer or other person having charge of the sale must  
27 include, *unless the livestock is feral livestock*, a complete  
28 description of each animal to be sold, including all brands and  
29 marks, sex, age, weight, color and kind.

30 **Sec. 34.** NRS 569.031 is hereby amended to read as follows:

31 569.031 The Department may enter into a cooperative  
32 agreement for the control, placement or disposition of the livestock  
33 with another agency of this state or with a county, city, town,  
34 township, peace officer, poundmaster or nonprofit organization. If  
35 an agreement is entered into, it must provide for:

36 1. The responsibility for the payment of the expenses incurred  
37 in taking up, holding, advertising and making the disposition of the  
38 estray ~~or~~ *feral livestock*, and any damages for trespass allowed  
39 pursuant to NRS 569.440;

40 2. The disposition of any money received from the sale of the  
41 livestock;

42 3. The protection of the rights of a lawful owner of an estray *or*  
43 *feral livestock* pursuant to NRS 569.040 to 569.130, inclusive ~~or~~ ,  
44 *and section 30 of this act*; and



1 4. The designation of the specific geographic area of this state  
2 to which the cooperative agreement applies.  
3 The Department shall annually review the actions of the cooperating  
4 person or entity for compliance with the agreement. The Department  
5 may cancel the agreement upon a finding of noncompliant actions.

6 **Sec. 35.** NRS 569.040 is hereby amended to read as follows:  
7 569.040 1. Except as otherwise provided in subsection 2,  
8 NRS 569.040 to 569.130, inclusive, *and section 30 of this act*, or  
9 pursuant to a cooperative agreement established pursuant to NRS  
10 569.031, it is unlawful for any person or his employees or agents,  
11 other than an authorized agent of the Department, to:

12 (a) Take up any estray *or feral livestock* and retain possession of  
13 it; or

14 (b) Feed any estray ~~[]} or feral livestock.~~

15 2. For a first violation of paragraph (b) of subsection 1, a  
16 person ~~[]} must~~ *must* not be cited or charged criminally but must be  
17 informed that it is unlawful to feed an estray ~~[]} or feral livestock.~~

18 **Sec. 36.** NRS 569.045 is hereby amended to read as follows:  
19 569.045 1. Before any person gathers any ~~[]} estray horses, he~~  
20 ~~shall~~ *estrays or feral livestock, he must* cause notice of the  
21 gathering to be published in a newspaper of general circulation  
22 within the county in which the gathering is to take place.

23 2. The notice must:

24 (a) Be published at least once a week for the 4 weeks preceding  
25 the gathering;

26 (b) Clearly identify the area in which the gathering is to take  
27 place and the date and time of the gathering;

28 (c) *If feral livestock are to be gathered, include a full*  
29 *description of the species of feral livestock to be gathered;*

30 (d) Indicate a location where owners or possible owners of the  
31 ~~[]} estray horses~~ *estrays or feral livestock* may go to claim an estray  
32 ~~[]} or feral livestock~~ that was gathered; and

33 ~~{}(d)~~ (e) List the name and telephone number of a person who  
34 may be contacted if an owner or possible owner is interested in  
35 viewing the ~~[]} estray horses~~ *estrays or feral livestock* gathered.

36 **Sec. 37.** NRS 569.070 is hereby amended to read as follows:  
37 569.070 1. Except as otherwise provided in subsection 4, if  
38 the owner or probable owner of an estray cannot with reasonable  
39 diligence be determined by the Department or its authorized agent,  
40 the Department shall advertise the estray or cause it to be advertised.

41 2. A notice of the estray, with a full description, giving brands,  
42 marks and colors thereon, must be published in a newspaper  
43 published at the county seat of the county in which the estray was  
44 taken up. If there is no newspaper published at the county seat of the



1 county, the notice must be published in the newspaper published at  
2 the nearest point to that county.

3 3. Expenses incurred in carrying out the provisions of  
4 subsections 1 and 2 must be deducted from the proceeds of the sale  
5 of the estray advertised.

6 4. ~~Except as otherwise provided in NRS 562.420, the~~ *The*  
7 Department may sell an injured, sick or otherwise debilitated estray  
8 if, as determined by the Department, the sale of the estray is  
9 necessary to facilitate the placement or other disposition of the  
10 estray. If an estray is sold pursuant to this subsection, the  
11 Department shall give a brand inspection clearance certificate to  
12 the purchaser.

13 **Sec. 38.** NRS 569.080 is hereby amended to read as follows:

14 569.080 1. If an estray is not claimed within 5 working days  
15 after the last publication of the advertisement required by NRS  
16 569.070, it must be:

- 17 (a) Sold by the Department; or  
18 (b) Held by the Department until the estray is given a placement  
19 or other disposition through a cooperative agreement established  
20 pursuant to NRS 569.031.

21 2. *If feral livestock is not claimed by the date of sale*  
22 *published pursuant to section 30 of this act, the feral livestock*  
23 *must be sold by the Department pursuant to section 30 of this act*  
24 *or placed pursuant to NRS 569.031.*

25 3. If the Department sells the estray ~~or~~ *or feral livestock*, the  
26 Department shall give a brand inspection clearance certificate to the  
27 purchaser.

28 ~~3. — Estray horses~~

29 4. *Estrays and feral livestock* must be marked, ~~or~~ branded *or*  
30 *identified with an individual animal identification* before *sale or*  
31 placement.

32 **Sec. 39.** NRS 569.090 is hereby amended to read as follows:

33 569.090 1. Except as otherwise provided pursuant to a  
34 cooperative agreement established pursuant to NRS 569.031, the  
35 Department shall:

- 36 (a) Pay the reasonable expenses incurred in taking up, holding,  
37 advertising and selling the estray ~~or~~ *or feral livestock*, and any  
38 damages for trespass allowed pursuant to NRS 569.440, from the  
39 proceeds of the sale of the estray *or feral livestock* and shall place  
40 the balance in an interest-bearing checking account in a bank or  
41 credit union qualified to receive deposits of public money. The  
42 proceeds from the sale and any interest on those proceeds, which are  
43 not claimed pursuant to subsection 2 within 1 year after the sale,  
44 must be deposited in the State Treasury for credit to the Livestock  
45 Inspection Account.



1 (b) Make a complete record of the transaction, including ~~the~~  
2 *any* marks and brands and other means of identification of the  
3 estray, and shall keep the record available for inspection by  
4 members of the general public.

5 2. If the lawful owner of the estray *or feral livestock* is found  
6 within 1 year after its sale and proves ownership to the satisfaction  
7 of the Department, the net amount received from the sale must be  
8 paid to the owner.

9 3. If any claim pending 1 year after the date of sale is denied,  
10 the proceeds and any interest thereon must be deposited in the  
11 Livestock Inspection Account.

12 **Sec. 40.** NRS 569.100 is hereby amended to read as follows:

13 569.100 1. A person who takes up an estray *or feral livestock*  
14 as provided for in NRS 569.040 to 569.130, inclusive, *and section*  
15 *30 of this act* is entitled to hold the estray *or feral livestock* lawfully  
16 until relieved of custody by the Department.

17 2. A person shall not use or cause to be used, for profit or  
18 otherwise, any estray *or feral livestock* in his keeping under the  
19 provisions of NRS 569.040 to 569.130, inclusive ~~[-]~~, *and section 30*  
20 *of this act*. A violation of this subsection shall be deemed grand  
21 larceny or petit larceny, as set forth in NRS 205.2175 to 205.2707,  
22 inclusive, and the person shall be punished as provided in those  
23 sections.

24 3. Any person taking, leading or driving an estray *or feral*  
25 *livestock* away from the possession of the lawful holder, as specified  
26 in NRS 569.040 to 569.130, inclusive, *and section 30 of this act*,  
27 except as otherwise provided in this section, is subject to all the  
28 penalties under the law, whether *or not* he is the claimant of the  
29 estray or ~~not~~ *feral livestock*.

30 **Sec. 41.** NRS 569.110 is hereby amended to read as follows:

31 569.110 If any ~~such estray or estrays~~ *estrays or feral*  
32 *livestock*, after having been taken up *by a person* in accordance with  
33 the provisions of NRS 569.040 to 569.130, inclusive, ~~escape or are~~  
34 *and section 30 of this act, escapes or is* removed from the custody  
35 of the ~~taker-up~~ *person* before being disposed of under the  
36 provisions of NRS 569.040 to 569.130, inclusive, ~~then such taker-~~  
37 ~~up shall have~~ *and section 30 of this act, the person has* the legal  
38 right to recover the ~~same~~ *estrays or feral livestock* wherever found  
39 ~~to be held by such taker-up~~ *and to hold it* until *it is* disposed of as  
40 provided ~~for~~ in NRS 569.040 to 569.130, inclusive ~~[-]~~, *and*  
41 *section 30 of this act*.

42 **Sec. 42.** NRS 569.120 is hereby amended to read as follows:

43 569.120 Estrays *and feral livestock* may be taken up by  
44 authorized agents of the Department. The disposal of the estrays *and*  
45 *feral livestock* must be conducted in the manner set forth in the



1 provisions of NRS 569.040 to 569.130, inclusive ~~[ ]~~, *and section 30*  
2 *of this act.*

3 **Sec. 43.** NRS 569.130 is hereby amended to read as follows:  
4 569.130 Any person, *including, without limitation, any firm,*  
5 company, association or corporation, who takes up or retains in his  
6 ~~[or its]~~ possession any stray *or feral livestock* not his ~~[or its]~~  
7 property, without the owner's consent, or except in accordance with  
8 the provisions of NRS 569.040 to 569.130, inclusive, ~~[shall be]~~ *and*  
9 *section 30 of this act, is* guilty of a misdemeanor.

10 **Sec. 44.** Chapter 571 of NRS is hereby amended by adding  
11 thereto the provisions set forth as sections 45 to 51, inclusive, of this  
12 act.

13 **Sec. 45.** *“Alternative livestock” has the meaning ascribed to*  
14 *it in NRS 501.003.*

15 **Sec. 46.** *“Animal” means any living creature other than a*  
16 *member of the human race.*

17 **Sec. 47.** *“Department” means the State Department of*  
18 *Agriculture.*

19 **Sec. 48.** *“Director” means the Director of the Department.*

20 **Sec. 49.** *“Importation” means the transportation or*  
21 *movement of animals by any railroad, express company, truckline*  
22 *or other carrier, or by any persons, by vehicle or otherwise, into*  
23 *this state.*

24 **Sec. 50.** *“Livestock” means:*

- 25 1. *All cattle or animals of the bovine species.*
- 26 2. *All horses, mules, burros and asses or animals of the*  
27 *equine species.*
- 28 3. *All swine or animals of the porcine species.*
- 29 4. *All goats or animals of the caprine species.*
- 30 5. *All sheep or animals of the ovine species.*
- 31 6. *All poultry or domesticated fowl or birds.*
- 32 7. *All dogs, cats or other animals domesticated or under the*  
33 *restraint or control of man.*
- 34 8. *All alternative livestock.*

35 **Sec. 51.** *“State Quarantine Officer” means the Director.*

36 **Sec. 52.** NRS 571.015 is hereby amended to read as follows:

37 571.015 As used in this chapter, unless the context *otherwise*  
38 requires ~~[otherwise:~~

- 39 ~~—1. “Department” means the State Department of Agriculture.~~
- 40 ~~—2. “Director” means the Director of the Department.~~
- 41 ~~—3. “Importation” means the transportation or movement of~~  
42 ~~livestock by any railroad, express company, truckline or other~~  
43 ~~carrier, or by any persons, by vehicle or otherwise, into this state.~~
- 44 ~~—4. “Livestock” means:~~  
45 ~~—(a) All cattle or animals of the bovine species.~~



- 1 ~~—(b) All horses, mules, burros and asses or animals of the equine~~
- 2 ~~species.~~
- 3 ~~—(c) All swine or animals of the porcine species.~~
- 4 ~~—(d) All goats or animals of the caprine species.~~
- 5 ~~—(e) All poultry or domesticated fowl or birds.~~
- 6 ~~—(f) All dogs, cats or other animals domesticated or under the~~
- 7 ~~restraint or control of man.~~
- 8 ~~—(g) Alternative livestock as defined in NRS 501.003.~~
- 9 ~~—5. “State Quarantine Officer” means the Director.] , the words~~
- 10 ~~and terms defined in sections 45 to 51, inclusive, of this act, have~~
- 11 ~~the meanings ascribed to them in those sections.~~

12 **Sec. 53.** NRS 571.025 is hereby amended to read as follows:  
 13 571.025 1. For the purposes of this chapter, infestation with  
 14 internal or external parasites, or exposure to such possible  
 15 infestation, shall be deemed equivalent to infection with or exposure  
 16 to infection with an infectious, contagious or parasitic disease.

17 2. The provisions of this chapter applicable to ~~[livestock]~~  
 18 *animals* infected with or exposed to infection with any infectious,  
 19 contagious or parasitic disease, or to any premises, grounds, cars,  
 20 vehicles or other carriers infected or contaminated with any  
 21 infectious, contagious or parasitic disease, also apply to any  
 22 ~~[livestock,]~~ *animals*, premises, grounds, cars, vehicles, or other  
 23 carriers infested with or exposed to infestation or contamination  
 24 with any internal or external parasites.

25 **Sec. 54.** NRS 571.045 is hereby amended to read as follows:  
 26 571.045 1. The State Quarantine Officer may proclaim and  
 27 enforce quarantine against any state, territory or district, or any  
 28 portion of any state, territory or district, with respect to the  
 29 importation into or transportation through the State of Nevada of  
 30 ~~[livestock]~~ *animals* which may be infected with, or which may have  
 31 been exposed to infection with, any infectious, contagious or  
 32 parasitic disease.

33 2. No quarantine ~~[shall]~~ *may* be issued under the provisions of  
 34 NRS 571.045 to 571.110, inclusive, which will conflict with the  
 35 provisions of the Constitution of the United States or any act of the  
 36 Congress of the United States.

37 3. ~~[The quarantine shall remain]~~ *A quarantine remains*  
 38 effective until vacated by order of the State Quarantine Officer.

39 **Sec. 55.** NRS 571.050 is hereby amended to read as follows:  
 40 571.050 1. Any quarantine issued under the provisions of  
 41 NRS 571.045 to 571.110, inclusive, may:

- 42 (a) Consist of a complete embargo against the importation into
- 43 or transportation through the State of any ~~[livestock]~~ *animals* so
- 44 quarantined against; or





1 (b) Provide for the importation into or transportation through the  
2 State of *any* such ~~livestock~~ *animals* under such rules and  
3 regulations as may be set forth and prescribed in the quarantine at  
4 the time the same is issued.

5 2. Any quarantine issued under the provisions of NRS 571.045  
6 to 571.110, inclusive, ~~shall remain~~ *remains* in force and effect  
7 until removed or modified by the State Quarantine Officer, but:

8 (a) The State Quarantine Officer may amend from time to time  
9 any quarantine so issued; and

10 (b) Any such amendments ~~shall~~ *must* be general in their  
11 application and ~~shall~~ *must* not apply to any individual shipment or  
12 importation.

13 **Sec. 56.** NRS 571.060 is hereby amended to read as follows:

14 571.060 If a quarantine is declared as provided in NRS  
15 571.045 to 571.110, inclusive, against the importation into or  
16 transportation through this state of any ~~livestock~~ *animals* from any  
17 other state, territory or district or any portion or portions thereof, a  
18 certified copy of ~~such quarantine shall~~ *the quarantine must* be  
19 personally delivered by the State Quarantine Officer or his  
20 representative or mailed by certified or registered mail to each of the  
21 following:

22 1. The Governor or the proper quarantine official of such state,  
23 territory or district.

24 2. The United States quarantine official having jurisdiction  
25 over the same character of quarantine.

26 3. The state agent or other qualified official of any interstate  
27 railroad, express company or other common carrier doing business  
28 within this state.

29 **Sec. 57.** NRS 571.080 is hereby amended to read as follows:

30 571.080 1. Any ~~livestock~~ *animals* imported into or being  
31 transported through this state in violation of any quarantine issued  
32 under the provisions of NRS 571.045 to 571.110, inclusive, ~~shall~~  
33 *must* be seized immediately by the State Quarantine Officer or his  
34 authorized representative and treated in a manner approved by the  
35 State Quarantine Officer, or destroyed, or sent out of the State  
36 within 48 hours, at the expense of the owner thereof.

37 2. When the movement of any ~~livestock~~ *animals* seized by  
38 the State Quarantine Officer, as provided in subsection 1, to some  
39 point without the State would further endanger any industry of this  
40 state, the ~~livestock~~ *animals* so seized by the State Quarantine  
41 Officer ~~shall~~ *must* be destroyed at the expense of the owner.

42 **Sec. 58.** NRS 571.090 is hereby amended to read as follows:

43 571.090 It is unlawful for any railroad, express company or  
44 other common carrier, or any persons, to import into or transport  
45 through the State of Nevada any ~~livestock~~ *animals* in violation of



1 the provisions of NRS 571.045 to 571.110, inclusive, or to make  
2 delivery of any such ~~livestock~~ *animals* to any persons within the  
3 limits of this state.

4 **Sec. 59.** NRS 571.100 is hereby amended to read as follows:

5 571.100 In any criminal proceeding arising under the  
6 provisions of NRS 571.045 to 571.110, inclusive, proof that any  
7 ~~livestock,~~ *animal*, prohibited by proclamation of quarantine from  
8 importation into or transportation through this state, was imported  
9 into or transported through this state in violation of ~~such~~ *the*  
10 quarantine shall be deemed proof within the meaning of NRS  
11 571.045 to 571.110, inclusive, that the ~~same~~ *animal* was diseased,  
12 exposed to disease or infected, or exposed to infection.

13 **Sec. 60.** NRS 571.120 is hereby amended to read as follows:

14 571.120 1. The Department shall do all things necessary for  
15 the control and eradication of infectious, contagious or parasitic  
16 diseases of ~~livestock,~~ *animals*.

17 2. The Director shall cooperate with the Administrator of the  
18 Division of Wildlife of the State Department of Conservation and  
19 Natural Resources in a program to prevent the spread of  
20 communicable diseases in ~~livestock and wildlife~~ *animals* in this  
21 state.

22 ~~[3.—As used in this section, “wildlife” has the meaning ascribed~~  
23 ~~to it in NRS 501.097.]~~

24 **Sec. 61.** NRS 571.130 is hereby amended to read as follows:

25 571.130 The State Quarantine Officer may adopt rules and  
26 regulations of the Secretary of Agriculture of the United States  
27 relating to the control and suppression of disease in ~~livestock,~~  
28 *animals*, and may cooperate with the Secretary of Agriculture and  
29 his officers in the enforcement of such rules and regulations.

30 **Sec. 62.** NRS 571.140 is hereby amended to read as follows:

31 571.140 The State Quarantine Officer, or his representatives or  
32 his agents, may inspect, test, treat, quarantine and condemn  
33 ~~livestock~~ *animals* affected with any infectious, contagious or  
34 parasitic disease, and any such person may enter upon any ground or  
35 premises of this state to enforce the inspection, testing, treatment,  
36 quarantine and condemnation laws and all the rules, regulations and  
37 orders of the Department.

38 **Sec. 63.** NRS 571.150 is hereby amended to read as follows:

39 571.150 The State Quarantine Officer may inspect, test or  
40 quarantine any ~~livestock~~ *animal* in the State infected with,  
41 suspected of being or which have been exposed to an infectious,  
42 contagious or parasitic disease, and compel testing or treatment at  
43 such times and as often as he deems necessary to insure the  
44 suppression of disease.



1       **Sec. 64.** NRS 571.160 is hereby amended to read as follows:  
2       571.160 If any ~~livestock~~ *animal* becomes infected with any  
3 infectious, contagious or parasitic disease as defined by rules and  
4 regulations adopted by the State Quarantine Officer, the owner or  
5 agent in charge ~~[-an]~~ *of the infected animal, or any* inspector of the  
6 Department or any practicing veterinarian *who has knowledge of*  
7 *the infected animal*, shall immediately notify the State Quarantine  
8 Officer. A notification of disease received pursuant to this section  
9 must be kept confidential unless:

10       1. The reported disease is specifically regulated pursuant to  
11 NRS 571.130 for mandatory control and eradication to protect the  
12 public health, other ~~livestock~~ *animals* or wildlife; or

13       2. The State Quarantine Officer determines that a public health  
14 emergency exists.

15       **Sec. 65.** NRS 571.170 is hereby amended to read as follows:

16       571.170 1. If ~~livestock~~ *an animal* is found diseased, the  
17 State Quarantine Officer may make regulations for ~~their~~ *its*  
18 quarantine at once, and he may define the place and limits within  
19 which ~~such livestock~~ *the animal* may be grazed, herded or driven.  
20 Such ~~livestock~~ *an animal* may be held in quarantine until released  
21 by the State Quarantine Officer.

22       2. The expense of treatment, feeding and taking care of ~~all~~  
23 ~~livestock~~ *animals* quarantined under the provisions of NRS  
24 571.120 to 571.250, inclusive, ~~shall~~ *must* be paid by the owner or  
25 agent in charge of ~~such livestock,~~ *the animals*, and such expense  
26 ~~shall be~~ *is* a lien upon ~~such livestock~~ *the animals* until paid.

27       3. The expense of testing ~~livestock~~ *an animal* and the  
28 expense of handling ~~livestock~~ *an animal* for the purpose of testing  
29 ~~shall~~ *must* be paid by the owner or agent in charge of ~~such~~  
30 ~~livestock,~~ *the animal*, at the option of the State Quarantine Officer,  
31 and such expense ~~shall be~~ *is* a lien upon ~~such livestock~~ *the*  
32 *animal* until paid.

33       **Sec. 66.** NRS 571.180 is hereby amended to read as follows:

34       571.180 ~~In no case shall any quarantined livestock, livestock~~  
35 ~~products or livestock suspected of being infected with or of being~~  
36 ~~or~~ *Quarantined animals, and any animals or animal products*  
37 which have been *, or are suspected to have been, infected with or*  
38 exposed to infectious, contagious or parasitic diseases *, must not* be  
39 removed from one point to another within any area, or from one area  
40 to another, without a written permit from the State Quarantine  
41 Officer.

42       **Sec. 67.** NRS 571.190 is hereby amended to read as follows:

43       571.190 1. The State Quarantine Officer may order and have  
44 destroyed any ~~livestock~~ *animal* infected with or exposed to any  
45 infectious, contagious or parasitic disease.



1 2. The Department shall compensate the owners of any  
2 ~~livestock~~ animal so destroyed separately or jointly with any  
3 county or municipality of the State or any agency of the Federal  
4 Government, the amount of the compensation to be determined by  
5 appraisal before the affected ~~livestock~~ animal is destroyed.

6 3. The appraisal must be made by the State Quarantine Officer  
7 or a qualified agent designated by him and the owners or their  
8 authorized representative. In the event of their failure to reach an  
9 agreement, the two so selected shall designate a disinterested  
10 person, who by reason of experience in such matters is a qualified  
11 judge of ~~livestock values,~~ values of animals, to act with them. The  
12 judgment of any two such appraisers is binding and final upon all  
13 persons.

14 4. The total amount received by the owners of ~~livestock~~ any  
15 animal so destroyed, including compensation paid by the  
16 Department, any county or municipality or any agency of the  
17 Federal Government or any ~~livestock insurance company,~~  
18 company that insures animals, and the salvage received from the  
19 sale of hides or carcasses or any other source, combined, must not  
20 exceed ~~75 percent of~~ the actual appraised value of the destroyed  
21 ~~livestock~~ animal.

22 5. Any natural person or corporation purchasing any  
23 ~~livestock~~ animal which was at the time of purchase under  
24 quarantine by any state, county or municipal authorities or any  
25 agency of the Federal Government authorized to lay such  
26 quarantine, or who purchases any ~~livestock~~ animal which due  
27 diligence and caution would have shown to be diseased or which  
28 ~~have been~~ was shipped or transported in violation of the rules and  
29 regulations of any agency of the Federal Government or the State of  
30 Nevada, is not entitled to receive compensation, and the Department  
31 may order the destruction of the ~~livestock~~ animal without making  
32 any compensation to the owner.

33 6. No payment may be made hereunder as compensation for or  
34 on account of any such ~~livestock~~ animal destroyed if, at the time  
35 of inspection or test of the ~~livestock~~ animal or at the time of the  
36 ordered destruction thereof, the ~~livestock~~ animal belongs to or is  
37 upon the premises of any person, firm or corporation to which the  
38 ~~livestock~~ animal has been sold, shipped or delivered for slaughter.

39 7. In no case may any payment by the Department pursuant to  
40 the provisions of this section ~~be more than \$75 for any grade~~  
41 ~~livestock or more than \$200 for any purebred livestock, and no~~  
42 ~~payment may~~ be made unless the owner has complied with all  
43 quarantine rules and regulations of the Department.



1       **Sec. 68.** NRS 571.200 is hereby amended to read as follows:  
2       571.200 1. The owner or agent in charge of any ~~{livestock}~~  
3 *animal* that has died or has been killed as a result of any infectious,  
4 contagious or parasitic disease shall immediately bury the  
5 ~~{carcasses}~~ *carcass* thereof at least 3 feet underground or cause the  
6 ~~{carcasses}~~ *carcass* to be consumed by fire, and ~~{such carcasses}~~  
7 ~~shall~~ *the carcass must* not be sold or given away.  
8       2. In order to carry out the requirements of subsection 1, ~~{such}~~  
9 ~~carcasses}~~ *the carcass* may be conveyed on a public highway or  
10 public road, or conveyed on land not owned by the owner or agent ,  
11 ~~{in charge of such carcasses.}~~ in accordance with rules and  
12 regulations promulgated by the State Quarantine Officer.  
13       3. The expense of burying, burning or conveying ~~{such}~~  
14 ~~carcasses shall}~~ *the carcass must* be paid by the owner or agent , ~~{in}~~  
15 ~~charge of such carcasses.}~~ and such expense ~~{shall be}~~ *is* a lien upon  
16 remaining ~~{livestock}~~ *animals* or other real or personal property of  
17 ~~{such}~~ *the* owner or agent ~~{in charge}~~ until paid.

18       **Sec. 69.** NRS 571.210 is hereby amended to read as follows:  
19       571.210 1. ~~{Livestock}~~ *Animals* not under special quarantine  
20 by the State of Nevada, the Federal Government, or the state,  
21 territory or district of origin may enter the State of Nevada in  
22 compliance with regulations adopted by the State Quarantine  
23 Officer.  
24       2. Notice that ~~{livestock}~~ *an animal* is in transit is not required  
25 unless the ~~{livestock}~~ *animal* remains in the State, or is to be  
26 unloaded to feed and rest for longer than 48 hours.  
27       3. A person, his agents or employees shall not bring ~~{livestock}~~  
28 *any animal* into this state unless he has obtained a health certificate  
29 showing that the ~~{livestock}~~ *animal* is free from contagious,  
30 infectious or parasitic diseases or exposure thereto. This requirement  
31 does not apply to animals whose accustomed range is on both sides  
32 of the Nevada state line and which are being moved from one  
33 portion to another of the accustomed range merely for pasturing and  
34 grazing thereon. The State Quarantine Officer shall adopt  
35 regulations concerning the form of the certificate.  
36       4. A person shall not:  
37       (a) Alter a health certificate; or  
38       (b) Divert ~~{livestock}~~ *any animal* from the destination described  
39 on the health certificate without notifying the State Quarantine  
40 Officer within 72 hours after the diversion of the ~~{livestock.}~~  
41 *animal*.  
42       5. Any ~~{livestock}~~ *animal* brought into this state without  
43 complying with this section may be seized, destroyed or sent out of  
44 this state by the State Quarantine Officer within 48 hours. The  
45 expense of seizing, destroying or removing the ~~{livestock}~~ *animal*



1 must be paid by the owner or his agent in charge of the ~~livestock~~  
2 *animal* and the expense is a lien on the ~~livestock,~~ *animal*, unless it  
3 was destroyed, until paid.

4 **Sec. 70.** NRS 571.220 is hereby amended to read as follows:

5 571.220 1. The State Quarantine Officer shall quarantine any  
6 corrals, pens, slaughterhouses, buildings, places, cars, trucks or  
7 vehicles where ~~livestock~~ *any animal* may have been handled, and  
8 compel the cleaning and disinfecting of ~~the same~~ *such places or*  
9 *vehicles* when deemed necessary for the purposes of this chapter.

10 2. Where owners or persons in charge of such places or  
11 vehicles refuse to clean and disinfect them, an inspector may take  
12 charge of such places or vehicles and cause them to be cleaned and  
13 disinfected. The expense of such cleaning and disinfecting ~~shall~~  
14 *must* be paid by the owners or persons in charge, and ~~shall be~~ *is*  
15 a lien upon such corrals, pens, slaughterhouses, buildings, places,  
16 cars, trucks or vehicles until ~~such~~ *the* expense is paid.

17 **Sec. 71.** NRS 571.230 is hereby amended to read as follows:

18 571.230 Inspectors may at all times enter any premises, farms,  
19 fields, corrals, pens, slaughterhouses, buildings, places, cars, trucks  
20 or vehicles where any ~~livestock~~ *animal* is quartered for the  
21 purpose of examining such places, vehicles or ~~livestock in order~~  
22 *animals* to determine whether they are affected with any infectious,  
23 contagious or parasitic disease.

24 **Sec. 72.** NRS 571.240 is hereby amended to read as follows:

25 571.240 1. Inspectors may inspect any ~~for all livestock~~  
26 *animal* about to be shipped, driven, transported or otherwise  
27 removed from the State.

28 2. Consignors, possessors or persons in charge of such  
29 ~~livestock~~ *an animal* shall, upon demand, fully establish title to  
30 ~~such livestock~~ *the animal* or the legal right to so ship, transport,  
31 drive or otherwise remove the ~~livestock~~ *animal* from the State.

32 **Sec. 73.** NRS 575.080 is hereby amended to read as follows:

33 575.080 As used in NRS 575.080 to 575.230, inclusive, unless  
34 the context otherwise requires:

35 1. "Board" means the State Board of ~~Sheep Commissioners.~~  
36 *Agriculture.*

37 2. "Department" means the State Department of Agriculture.

38 3. "Livestock" means the animals subject to the taxes levied  
39 pursuant to NRS 571.035 . ~~and 575.070.~~

40 4. "Sheep" means the animals subject to the taxes levied  
41 pursuant to NRS 562.170 and 567.110.

42 5. "Tax" means any of the taxes levied pursuant to NRS  
43 562.170, 567.110 ~~571.035 and 575.070.~~ *and 571.035.*



1     **Sec. 74.** NRS 575.090 is hereby amended to read as follows:  
2     575.090 1. There is hereby created in each county a  
3 committee for assessing livestock composed of:

4     (a) Two persons who own livestock in the county and who are  
5 appointed by the ~~[State Board of Agriculture;]~~ **Board;**

6     (b) One person who owns sheep in the county and who is  
7 appointed by the Board or, if there is no owner of sheep in the  
8 county, another person who owns livestock in the county who is  
9 appointed by the ~~[State Board of Agriculture;]~~ **Board;**

10    (c) A brand inspector who is designated by the Director of the  
11 Department; and

12    (d) In ~~fa~~:

13        (1) A county where the Department elects to administer the  
14 special tax, another person who owns livestock, appointed by the  
15 ~~[State Board of Agriculture, otherwise]~~ **Board; or**

16        (2) **Any other county,** the county assessor or a person  
17 designated by him.

18    2. Except as otherwise provided in this subsection, the term of  
19 each member is 2 years, and any vacancy must be filled by  
20 appointment for the unexpired term. The term of the county assessor  
21 expires upon the expiration of the term of his office. A person  
22 designated by the county assessor serves at the pleasure of the  
23 county assessor. The brand inspector serves at the pleasure of the  
24 Director of the Department.

25    3. While engaged in official business of the committee for  
26 assessing livestock, each member of the committee is entitled to:

27        (a) A salary not exceeding \$60 per day for attending meetings or  
28 performing other official business, to be paid from any money  
29 available to the Department.

30        (b) The per diem allowance and travel expenses fixed for state  
31 officers and employees.

32     **Sec. 75.** NRS 575.170 is hereby amended to read as follows:

33     575.170 1. An owner of sheep or livestock who wishes to  
34 challenge the accuracy of the report as changed by the committee  
35 for assessing livestock may, within 15 days after receiving notice of  
36 the change, file a statement with the committee for assessing  
37 livestock for his county specifying the alleged inaccuracy.

38     2. Upon receipt of the statement under subsection 1, the  
39 committee for assessing livestock shall review the allegations and  
40 may make any changes it considers necessary to make the report  
41 accurate and complete. An owner of sheep or livestock, the Board,  
42 or the Director of the Department may appeal from any decision of  
43 the committee for assessing livestock to and in the manner  
44 prescribed by the ~~[State Board of Agriculture;]~~ **Board.**



1       **Sec. 76.** NRS 575.170 is hereby amended to read as follows:  
2       575.170 1. An owner of sheep or livestock who wishes to  
3 challenge the accuracy of the report as changed by the Department  
4 may, within 15 days after receiving notice of the change, file a  
5 statement with the Department for assessing livestock for his county  
6 specifying the alleged inaccuracy.

7       2. Upon receipt of the statement under subsection 1, the  
8 Department shall review the allegations and may make any changes  
9 it considers necessary to make the report accurate and complete. An  
10 owner of sheep or livestock or the Board may appeal from any  
11 decision of the Department to and in the manner prescribed by the  
12 ~~State Board of Agriculture.~~ **Board.**

13       **Sec. 77.** NRS 575.180 is hereby amended to read as follows:  
14       575.180 1. When the report of owners of livestock and sheep  
15 is approved by the committee for assessing livestock as complete  
16 and accurate, the approval must be noted on the report. The report  
17 must be returned to the county assessor, or the Department if it is  
18 administering the special tax, and a copy sent to the Board ~~and~~  
19 the Department unless it is administering the special tax . ~~and the~~  
20 ~~Nevada Beef Council.~~

21       2. If, as the result of a challenge of the accuracy of the report,  
22 any change is ordered in the report of owners of livestock and sheep  
23 after it has been approved by the committee for assessing livestock,  
24 each recipient of the report or copy must be notified of the change.

25       **Sec. 78.** NRS 575.180 is hereby amended to read as follows:  
26       575.180 1. When the report of owners of livestock and sheep  
27 is approved by the Department as complete and accurate, the  
28 approval must be noted on the report. A copy of the approved report  
29 must be sent to the Board . ~~and the Nevada Beef Council.~~

30       2. If, as the result of a challenge of the accuracy of the report,  
31 any change is ordered in the report of owners of livestock and sheep  
32 after it has been approved by the Department, each recipient of a  
33 copy of the report must be notified of the change.

34       **Sec. 79.** NRS 575.190 is hereby amended to read as follows:  
35       575.190 Using the tax levies from the Board ~~and from~~ the  
36 Department , ~~and the Nevada Beef Council,~~ the county assessor,  
37 auditor or treasurer, or the Department if it is administering the  
38 special tax, shall calculate the total taxes due from each owner of  
39 livestock or sheep based on the report of owners of livestock or  
40 sheep approved by the committee for assessing livestock.

41       **Sec. 80.** NRS 575.190 is hereby amended to read as follows:  
42       575.190 Using the tax levies from the Board ~~and from~~ the  
43 Department , ~~and the Nevada Beef Council,~~ the Department shall  
44 calculate the total taxes due from each owner of livestock or sheep





1 based on the report of owners of livestock or sheep approved by the  
2 Department.

3 **Sec. 81.** NRS 575.210 is hereby amended to read as follows:

4 575.210 Whenever any taxes, or penalties or interest for  
5 delinquencies pursuant to NRS 562.175 or 575.130 are paid to the  
6 county treasurer, he shall record the payment and the date thereof  
7 with the name of the person liable therefor, and the amount of taxes,  
8 penalties and interest collected pursuant to NRS 562.170, 562.175,  
9 567.110, 571.035 ~~[, 575.070]~~ and 575.130, and transmit the revenue  
10 thereof to the State Controller for deposit into the appropriate  
11 account or fund in the State Treasury.

12 **Sec. 82.** NRS 575.210 is hereby amended to read as follows:

13 575.210 Whenever any taxes, or penalties or interest for  
14 delinquencies pursuant to NRS 562.175, 575.130 or 575.205 are  
15 paid to the Department, the Department shall record the payment  
16 and the date thereof with the name of the person liable therefor, and  
17 the amount of taxes, penalties and interest collected pursuant to  
18 NRS 562.170, 562.175, 567.110, 571.035, ~~[575.070,]~~ 575.130 and  
19 575.205, and transmit the revenue thereof to the State Controller for  
20 deposit into the appropriate account or fund in the State Treasury.

21 **Sec. 83.** NRS 575.220 is hereby amended to read as follows:

22 575.220 Any taxes delinquent must be reported by the county  
23 assessor or county treasurer to the:

24 1. Department, if the taxes were levied pursuant to NRS  
25 571.035 ; ~~[and 575.070;]~~ or

26 2. Board, if the taxes were levied pursuant to NRS 562.170 and  
27 567.110.

28 **Sec. 84.** NRS 575.230 is hereby amended to read as follows:

29 575.230 A brand inspection clearance certificate described in  
30 NRS ~~562.460 or~~ 565.120 ~~[for a certificate or bill of health described~~  
31 ~~in NRS 562.460 may]~~ **must** not be issued for the movement of any  
32 sheep or livestock owned by a person delinquent in the payment of a  
33 tax. The Department may collect any delinquent tax and the penalty  
34 and interest thereon at the time of a brand or health inspection. The  
35 appropriate county authority must be notified if the tax is so  
36 collected.

37 **Sec. 85.** NRS 233B.039 is hereby amended to read as follows:

38 233B.039 1. The following agencies are entirely exempted  
39 from the requirements of this chapter:

- 40 (a) The Governor.
- 41 (b) The Department of Corrections.
- 42 (c) The University and Community College System of Nevada.
- 43 (d) The Office of the Military.
- 44 (e) The State Gaming Control Board.
- 45 (f) The Nevada Gaming Commission.



1 (g) The Welfare Division of the Department of Human  
2 Resources.

3 (h) The Division of Health Care Financing and Policy of the  
4 Department of Human Resources.

5 (i) The State Board of Examiners acting pursuant to chapter 217  
6 of NRS.

7 (j) Except as otherwise provided in NRS 533.365, the Office of  
8 the State Engineer.

9 (k) The Division of Industrial Relations of the Department of  
10 Business and Industry acting to enforce the provisions of  
11 NRS 618.375.

12 (l) The Administrator of the Division *of Industrial Relations of*  
13 *the Department of Business and Industry* in establishing and  
14 adjusting the schedule of fees and charges for accident benefits  
15 pursuant to subsection 2 of NRS 616C.260.

16 (m) The Board to Review Claims in adopting resolutions to  
17 carry out its duties pursuant to NRS 590.830.

18 2. Except as otherwise provided in subsection 5 and NRS  
19 391.323, the Department of Education, the Board of the Public  
20 Employees' Benefits Program and the Commission on Professional  
21 Standards in Education are subject to the provisions of this chapter  
22 for the purpose of adopting regulations but not with respect to any  
23 contested case.

24 3. The special provisions of:

25 (a) Chapter 612 of NRS for the distribution of regulations by  
26 and the judicial review of decisions of the Employment Security  
27 Division of the Department of Employment, Training and  
28 Rehabilitation;

29 (b) Chapters 616A to 617, inclusive, of NRS for the  
30 determination of contested claims;

31 (c) Chapter 703 of NRS for the judicial review of decisions of  
32 the Public Utilities Commission of Nevada;

33 (d) Chapter 91 of NRS for the judicial review of decisions of the  
34 Administrator of the Securities Division of the Office of the  
35 Secretary of State; and

36 (e) NRS 90.800 for the use of summary orders in contested  
37 cases,  
38 prevail over the general provisions of this chapter.

39 4. The provisions of NRS 233B.122, 233B.124, 233B.125 and  
40 233B.126 do not apply to the Department of Human Resources in  
41 the adjudication of contested cases involving the issuance of letters  
42 of approval for health facilities and agencies.

43 5. The provisions of this chapter do not apply to:

44 (a) Any order for immediate action, including, but not limited  
45 to, quarantine and the treatment or cleansing of infected or infested



1 animals, objects or premises, made under the authority of the State  
2 Board of Agriculture, the State Board of Health ~~[, the State Board of~~  
3 ~~Sheep Commissioners]~~ or any other agency of this state in the  
4 discharge of a responsibility for the preservation of human or animal  
5 health or for insect or pest control;

6 (b) An extraordinary regulation of the State Board of Pharmacy  
7 adopted pursuant to NRS 453.2184; or

8 (c) A regulation adopted by the State Board of Education  
9 pursuant to NRS 392.644 or 394.1694.

10 6. The State Board of Parole Commissioners is subject to the  
11 provisions of this chapter for the purpose of adopting regulations but  
12 not with respect to any contested case.

13 **Sec. 86.** NRS 289.290 is hereby amended to read as follows:

14 289.290 1. A person designated by the Director of the State  
15 Department of Agriculture as a field agent or an inspector pursuant  
16 to subsection 2 of NRS 561.225 has the powers of a peace officer to  
17 make investigations and arrests and to execute warrants of search  
18 and seizure, and may temporarily stop a vehicle in the enforcement  
19 of the provisions of titles 49 and 50 of NRS and chapters 581, 582,  
20 583, 586, 587, 588 and 590 of NRS.

21 2. ~~[An inspector of the State Board of Sheep Commissioners~~  
22 ~~and his deputies have the powers of a peace officer.~~

23 ~~—3.]~~ An officer appointed by the Nevada Junior Livestock Show  
24 Board pursuant to NRS 563.120 has the powers of a peace officer  
25 for the preservation of order and peace on the grounds and in the  
26 buildings and the approaches thereto of the livestock shows and  
27 exhibitions that the Board conducts.

28 ~~[4.]~~ 3. In carrying out the provisions of chapter 565 of NRS, an  
29 inspector of the State Department of Agriculture has the powers of a  
30 peace officer to make investigations and arrests and to execute  
31 warrants of search and seizure. The provisions of this subsection do  
32 not authorize any inspector to retire under the Public Employees'  
33 Retirement System before having attained the minimum service age  
34 of 60 years.

35 **Sec. 87.** NRS 484.1345 is hereby amended to read as follows:

36 484.1345 "Regulatory agency" means any of the agencies  
37 granted police or enforcement powers under the provisions of  
38 subsection 2 of NRS 289.250, NRS 289.260, subsection 3 of NRS  
39 289.270, NRS 289.280, subsection ~~[4]~~ 3 of NRS 289.290 or NRS  
40 289.320, 289.340, 407.065, 472.040, 481.048, 501.349, 565.155 or  
41 706.8821.



1       **Sec. 88.** Section 61 of chapter 331, Statutes of Nevada 2001,  
2 at page 1570, is hereby amended to read as follows:  
3       Sec. 61. 1. This section and sections 1 to 10,  
4 inclusive, 11, 12, 14 to 25, inclusive, 27 to 44, inclusive, and  
5 59 of this act become effective on July 1, 2001.  
6       2. Sections 13 and 26 of this act become effective at  
7 12:01 a.m. on July 1, 2001.  
8       3. Section 10 of this act expires by limitation on June 30,  
9 2003.  
10       4. Section 10.5 of this act becomes effective at 12:02  
11 a.m. on July 1, 2003.  
12       5. Sections 45 , 46, 47, 47.5, 49 to 58, inclusive, and 60  
13 of this act become effective on July 1, 2004.  
14       **Sec. 89.** 1. NRS 562.020, 562.060, 562.070, 562.090,  
15 562.100, 562.110, 562.120, 562.280, 562.290, 562.320, 562.330,  
16 562.340, 562.350, 562.360, 562.370, 562.380, 562.390, 562.400,  
17 562.410, 562.420, 562.430, 562.450, 562.510, 563.151, 563.161,  
18 563.171, 563.181, 563.191, 563.201, 563.211, 563.221, 565.075 and  
19 575.070 are hereby repealed.  
20       2. Section 48 of chapter 331, Statutes of Nevada 2001, at page  
21 1567, is hereby repealed.  
22       **Sec. 90.** 1. Any contracts or other agreements entered into  
23 by the State Board of Sheep Commissioners are binding upon:  
24       (a) The State Board of Agriculture; or  
25       (b) If the contract or agreement directly relates to diseases of  
26 sheep, the State Quarantine Officer.  
27       2. Such contracts and other agreements may be enforced by the  
28 State Board of Agriculture or State Quarantine Officer, as  
29 appropriate.  
30       **Sec. 91.** The State Controller shall transfer any money in the  
31 Account for the Promotion of Beef created in the State General  
32 Fund as of July 1, 2003, that is attributable to the assessment  
33 required by 7 U.S.C. §§ 2901 to 2911, inclusive, to:  
34       1. The entity that is certified pursuant to 7 U.S.C. §§ 2901 to  
35 2911, inclusive, as the qualified beef council for the State of  
36 Nevada; or  
37       2. If no entity is certified as of July 1, 2003, as the qualified  
38 beef council for the State of Nevada, the Cattlemen's Beef  
39 Promotion and Research Board established pursuant to 7 U.S.C. §  
40 2904.  
41       **Sec. 92.** 1. This section and sections 1 to 20, inclusive, 22 to  
42 75, inclusive, 77, 79, 81 and 83 to 91, inclusive, of this act become  
43 effective on July 1, 2003.



- 1     2. Sections 20, 74, 75, 77, 79, 81 and 83 of this act expire by  
2 limitation on June 30, 2004.  
3     3. Sections 21, 76, 78, 80 and 82 of this act become effective  
4 on July 1, 2004.

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**LEADLINES OF REPEALED SECTIONS OF NRS AND  
TEXT OF REPEALED SECTIONS OF STATUTES OF NEVADA**

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- 562.020 “Breaking quarantine” defined.**  
**562.060 Creation; number and appointment of members.**  
**562.070 Qualifications of members.**  
**562.090 Compensation of members.**  
**562.100 President; other officers.**  
**562.110 Office of Board.**  
**562.120 Meetings.**  
**562.280 Rules and regulations pertaining to quarantining,  
dipping and treatment of sheep.**  
**562.290 Board may adopt regulations of Secretary of  
Agriculture for suppression of diseases.**  
**562.320 Power to order inspection and quarantine of sheep.**  
**562.330 Quarantine imposed by proclamation of Governor;  
penalties for violations; exceptions.**  
**562.340 Power to quarantine or compel cleaning of  
shearing or dipping corrals or places where sheep are handled;  
enforcement.**  
**562.350 Quarantining and treatment of sheep infected with  
scabies or other infectious or contagious disease; powers of  
inspectors and Board.**  
**562.360 Preparation of dipping works by inspector; feeding  
at owner’s expense; lien on sheep; spotting and hand-dressing of  
ewes and lambs.**  
**562.370 Dipping of sheep between April 15 and  
November 1 when ordered by Board; decision of Board  
conclusive; dipping after November 1.**  
**562.380 Penalty for violation of NRS 562.350, 562.360 or  
562.370.**  
**562.390 Imported sheep or bucks to be dipped under  
supervision of inspector; admission of sheep under permit  
issued by Board or State Department of Agriculture without  
dipping; liens; penalty.**



562.400 Infection or exposure to infection to be reported to inspector or Board; penalty.

562.410 Traveling permits for diseased sheep.

562.420 Destruction of diseased sheep may be ordered by Board; compensation of owners.

562.430 Permit required to import sheep into State; common carrier provisions; interstate grazing and shipments; penalties.

562.450 Board or inspector may take charge of sheep or premises when necessary; seizure and attachment.

562.510 Board may order inspectors to quarantine premises and compel cleaning and disinfecting; expenses paid by owner; liens.

563.151 Definitions.

563.161 Creation; number and appointment of members.

563.171 Qualifications of members.

563.181 Meetings; fiscal year; annual report.

563.191 Chairman; Secretary-Treasurer.

563.201 Powers of Council.

563.211 Authority to sue and be sued; personal liability of members.

563.221 Deposit and disbursement of money of Council.

565.075 Federal assessment on livestock: Collection; deposit.

575.070 Tax to promote beef.

Section 48 of chapter 331, Statutes of Nevada 2001, at page 1567, is hereby amended to read as follows:

Sec. 48. NRS 575.070 is hereby amended to read as follows:

575.070 1. Upon receipt of the reports from the ~~[committee for assessing livestock]~~ *state department of agriculture* pursuant to NRS 575.180, the Nevada beef council may fix a special tax, to be known as the tax to promote beef, on all cattle except calves that have not been weaned, the rate of which must not exceed \$1 per head. ~~[[such a tax is fixed, the council shall send a notice of the rate of the tax to the county assessor or treasurer of each county on or before the first Monday in May of each year.]]~~ The proceeds of the tax, if any, must be deposited in the state treasury for credit to the account for the promotion of beef.

2. During the month of April if such a tax is fixed, any person who has paid the special tax may file a claim for a refund with the state department of agriculture, accompanied by a receipt showing the payment. Upon verification of the



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claim, the department shall transmit the claim to the state controller for payment from the account for the promotion of beef.

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