

ASSEMBLY BILL NO. 407—ASSEMBLYMEN CARPENTER,  
GOICOECHEA, MCCLEARY, SHERER AND GRADY

MARCH 24, 2005

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Referred to Committee on Natural Resources,  
Agriculture, and Mining

SUMMARY—Makes various changes relating to seizure of certain  
animals by governmental agencies. (BDR 50-685)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
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.

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AN ACT relating to the inspection of animals; providing that a seizure of certain animals by a governmental agency is deemed to be an act of a municipality for the purpose of obtaining a judicial confirmation of the act; prohibiting the State Department of Agriculture from issuing a brand inspection clearance certificate or permit to remove the animals from a brand inspection district until the seizure of the animals is judicially confirmed; providing a penalty; and providing other matters properly relating thereto.

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

- 1     **Section 1.** Chapter 565 of NRS is hereby amended by adding  
2     thereto a new section to read as follows:  
3     1. *If a governmental agency seizes any animals subject to*  
4     *brand inspection pursuant to this chapter, the seizure of those*  
5     *animals and any related claim of lawful possession of the animals*  
6     *by the governmental agency shall be deemed to be an act of a*  
7     *municipality for purposes of obtaining a judicial confirmation of*  
8     *the act pursuant to chapter 43 of NRS.*  
9     2. *Notwithstanding any provision of this chapter to the*  
10    *contrary, for any animals specified in subsection 1, the*



- 1 *Department or its authorized inspector shall refuse to issue brand*
- 2 *inspection clearance certificates or permits to remove the animals*
- 3 *from a brand inspection district until the lawfulness of the seizure*
- 4 *and possession of the animals is judicially confirmed.*

