

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

MARCH 24, 2005

Referred to Committee on Natural Resources,
Agriculture, and Mining

SUMMARY—Prohibits State Department of Agriculture from issuing brand inspection clearance certificate or permit to remove animals from brand inspection district under certain circumstances. (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.

AN ACT relating to animals; prohibiting the State Department of Agriculture or its authorized inspector from issuing a brand inspection clearance certificate or permit to remove animals from a brand inspection district under certain circumstances; 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. Notwithstanding any provision of this chapter to the***
4 ***contrary, if a governmental entity seizes any privately owned***
5 ***animals subject to brand inspection pursuant to this chapter, the***
6 ***Department or its authorized inspector shall not issue brand***
7 ***inspection clearance certificates or permits to remove the animals***
8 ***from a brand inspection district or for the transfer of ownership of***
9 ***the animals by sale or otherwise unless:***

10 ***(a) Before the seizure, the governmental entity obtains***
11 ***approval for the seizure from a court of competent jurisdiction;***
12 ***and***



- 1 ***(b) The governmental entity submits a copy of the order***
2 ***approving the seizure to the Department or its authorized***
3 ***inspector.***
- 4 ***2. The provisions of this section do not apply to:***
- 5 ***(a) An estray, as defined in NRS 569.0075;***
6 ***(b) Feral livestock, as defined in NRS 569.008;***
7 ***(c) A wild horse or burro, as defined in 16 U.S.C. § 1332;***
8 ***(d) An animal that is impounded or sold by the Department***
9 ***pursuant to NRS 575.060; or***
- 10 ***(e) An animal that is seized by a governmental entity to protect***
11 ***the health and safety of the public or to prevent cruelty to animals.***

