

HOUSE BILL No. 2723

By Committee on Appropriations

3-2

1 AN ACT concerning animals; relating to transporting animals into the
2 state; authorizing the animal health commissioner to assess a civil
3 penalty for violations relating thereto; amending K.S.A. 47-607c and
4 repealing the existing section.

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6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 47-607c is hereby amended to read as follows: 47-
8 607c. *(a) Any person or persons violating or failing who intentionally or*
9 *knowingly violates or intentionally or knowingly fails to comply with the*
10 *provisions of this act shall be deemed guilty of a class C nonperson*
11 *misdemeanor, and upon conviction thereof shall be punished by a fine of*
12 *not less than one hundred dollars (\$100) nor more than one thousand*
13 *dollars (\$1,000), or by imprisonment in the county jail not less than thirty*
14 *(30) days nor more than one (1) year, or by both such fine and*
15 *imprisonment.*

16 *(b) In addition to any other penalty provided by law, any person who*
17 *violates K.S.A. 47-607, and amendments thereto, the special permit*
18 *requirements of K.S.A. 47-607a, and amendments thereto, or rules and*
19 *regulations promulgated pursuant to K.S.A. 47-607d, and amendments*
20 *thereto, may incur a civil penalty in an amount not less than \$100 nor*
21 *more than \$1,000 for each shipment into the state.*

22 *(c) No civil penalty shall be imposed pursuant to this section except*
23 *upon the written order of the duly authorized agent of the animal health*
24 *commissioner to the person who committed the violation. Such order shall*
25 *state the violation, the civil penalty to be imposed and the right of the*
26 *person to appeal to the commissioner. Within 20 days of such notification,*
27 *any such person may make written request to the commissioner for a*
28 *hearing in accordance with the Kansas administrative procedure act.*

29 *(d) Any civil penalty recovered pursuant to this section shall be*
30 *remitted to the state treasurer in accordance with K.S.A. 75-4215, and*
31 *amendments thereto. Upon receipt of each such remittance, the state*
32 *treasurer shall deposit the entire amount in the state treasury to the credit*
33 *of the state general fund.*

34 *(e) The animal health commissioner may require that any records*
35 *related to animals and the suspected transportation of such animals into*
36 *the state in violation of K.S.A. 47-607, and amendments thereto, the*

1 *special permit requirements of K.S.A. 47-607a, and amendments thereto,*
2 *or rules and regulations promulgated pursuant to K.S.A. 47-607d, and*
3 *amendments thereto, in the possession of any person be submitted to the*
4 *commissioner for review within a reasonable time. Failure to cooperate*
5 *with any such request shall be considered a violation of this act.*

6 Sec. 2. K.S.A. 47-607c is hereby repealed.

7 Sec. 3. This act shall take effect and be in force from and after its
8 publication in the statute book.