

**BRAND INSPECTORS AMENDMENTS**

2021 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Keven J. Stratton**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill modifies provisions regarding brand inspections.

**Highlighted Provisions:**

This bill:

▶ provides that a brand inspection is not required at the time of slaughter if the owner certifies that:

- the owner has owned the animal since the animal's birth; or
  - the animal was inspected at the time the owner acquired the animal;
- ▶ prohibits brand inspectors from entering private property at any time without:
- the property owner's permission; or
  - a court-issued warrant; and
- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**4-24-304**, as last amended by Laws of Utah 2020, Chapter 311

**4-24-504**, as renumbered and amended by Laws of Utah 2017, Chapter 345



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29 *Be it enacted by the Legislature of the state of Utah:*

30 Section 1. Section **4-24-304** is amended to read:

31 **4-24-304. Brand inspection required before slaughter -- Exceptions.**

32 (1) Except as provided in Subsections (2) [~~and (3)~~] through (4), a brand inspection is  
33 required before any cattle, calves, horses, domesticated elk, or mules are slaughtered.

34 (2) (a) A person may slaughter cattle, calves, horses, or mules for that person's own use  
35 without a brand inspection if the requirements of Section [4-32-106](#) are met.

36 (b) The department may authorize a custom exempt slaughter facility or a farm custom  
37 slaughter licensee to verify ownership of cattle, calves, horses, or mules before slaughter for the  
38 owner's use.

39 (c) A custom exempt slaughter facility or farm custom slaughter licensee authorized by  
40 the department, shall verify ownership of cattle, calves, horses, or mules before slaughter for  
41 the owner's use.

42 (d) If the department has reason to believe that a licensee or registrant is or has engaged  
43 in conduct that violates this chapter, the department shall issue a notice of agency action  
44 pursuant to Section [4-1-106](#).

45 (3) The department may authorize a state or department employee to verify ownership  
46 of cattle or calves at a licensed meat establishment before slaughter, if there is no change in  
47 ownership of the cattle or calves.

48 (4) A brand inspection is not required before slaughter if the owner of the cattle,  
49 calves, horses, or mules to be slaughtered certifies under penalty of perjury that:

50 (a) the owner is the rightful owner of the animal; and

51 (b) (i) the owner of the animal has owned the animal since the animal was born; or

52 (ii) the animal was inspected by a brand inspector at the time the owner acquired the  
53 animal.

54 Section 2. Section **4-24-504** is amended to read:

55 **4-24-504. Enforcement -- Brand inspector's powers delineated.**

56 (1) A brand inspector is empowered with the authority of a special function officer for  
57 the purpose of enforcing this chapter and such an inspector may, if proper, stop any vehicle  
58 carrying livestock or livestock carcasses for the purpose of examining brands, marks,

59 certificates of brand inspection, and bills of lading or bills of sale relating to the livestock in  
60 transit.

61 (2) (a) [~~Brand~~] Except as provided in Subsection (2)(b), brand inspectors may enter any  
62 premises where livestock are kept or maintained for the purpose of examining brands or marks.

63 (b) A brand inspector may not enter private property for any reason without:

64 (i) the permission of the property owner; or

65 (ii) an ex parte warrant described in Subsection (2)(c).

66 [~~(b)~~] (c) If admittance is refused, the department may proceed immediately to obtain an  
67 ex parte warrant from the nearest court of competent jurisdiction to allow entry upon the  
68 premises for the purpose of examining brands or marks or other evidence of ownership.