

ENROLLED ACT NO. 93, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING  
2019 GENERAL SESSION

AN ACT relating to brands; amending procedures regarding brands as specified; creating a permanently recorded brand; requiring rulemaking; repealing unnecessary provisions; and providing for an effective date.

*Be It Enacted by the Legislature of the State of Wyoming:*

**Section 1.** W.S. 11-20-126 is created to read:

**11-20-126. Permanently recorded brand.**

(a) Any person may apply to permanently record a new or existing brand. The board shall promulgate rules necessary for providing for permanently recorded brands. Rules promulgated under this section shall establish:

(i) An application process for permanently recording a brand. The application shall include the information required under W.S. 11-20-103(a) and any other information the board may require;

(ii) Recording fees for permanently recording a brand, provided that:

(A) No recording fee shall exceed one thousand five hundred dollars (\$1,500.00) for each application filed under this section;

(B) No additional recording fee shall be charged for additional species or for rerecording;

(C) All fees collected shall be deposited into the account created by W.S. 11-20-405.

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(iii) The length of time the permanently recorded brand shall exist, provided that:

(A) The board may require owners of permanently recorded brands to provide notice of continuation of the permanently recorded brand to the board at least once every ten (10) years. The board shall not deem any brand abandoned because of lack of notice;

(B) If the board requires notice of continuation as provided in subparagraph (A) of this paragraph, the board shall prepare a form and shall send the notice of continuation form by mail to the address shown on the brand records, and by electronic mail if provided, at least sixty (60) days before the notice is due.

(b) A certified copy of the recorded brand shall be given to the owner. All fees collected shall be deposited into the account created by W.S. 11-20-405.

(c) Any person with a brand that is permanently recorded under this section shall not be required to rerecord the brand as provided by W.S. 11-20-115.

(d) No brand permanently recorded under this section shall be transferable to another person without the person receiving the transferred brand first paying the recording fee required under this section or the recording fee required under W.S. 11-20-116(b).

**Section 2.** W.S. 11-20-115(a), (c) and by creating new subsections (d) and (e) is amended to read:

**11-20-115. Rerecording; when required; notice; abandonment.**

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(a) Except as provided ~~by subsection (b) of this section~~ in W.S. 11-20-126, every tenth year after recording a brand, every owner of a brand shall rerecord the brand, and failure to do so is an abandonment of the brand as provided in this section. At least sixty (60) days preceding the expiration date of the brand, the board shall notify by mail and electronic mail if provided, at the address shown on the brand records, the party owning the brand that the brand must be rerecorded and if the brand has not been rerecorded within sixty (60) days from the expiration date of the brand, the brand will be declared delinquent. The board shall send a second notice by certified mail to the party owning the brand at the address shown on the brand records within thirty (30) days following the expiration date of the brand. A delinquent brand may be rerecorded by the brand owner who shall submit a rerecording application and pay a delinquent fee as established by rule of the board not to exceed one hundred fifty dollars (\$150.00). If a delinquent brand is not rerecorded within ~~one (1) year~~ two (2) years from the expiration date of the brand, the brand will be declared abandoned. Not less than six (6) months before declaring a brand abandoned, the board shall send a notice of proposed brand abandonment to the party owning the brand at the address shown on the brand records. The livestock board is authorized to promulgate rules and regulations necessary to implement this section including rules for issuing abandoned brands to other applicants.

(c) ~~After the rerecording periods established by the board under subsection (b) of this section,~~ The term of the rerecording period shall not exceed ten (10) years and the method of renewal shall be established by the board. Every owner of a brand shall rerecord the brand every ten (10) years and shall pay the renewal fee specified by W.S. 11-20-116

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which shall be prorated by the board for any renewal of less than ten (10) years.

(d) As part of any rerecording notice or abandonment notice sent under subsection (a) of this section, the board shall offer the option to a party to rerecord all brands that the party owns upon payment of a prorated fee, whether or not the brand has reached its rerecording date and provided that the rerecording period shall not exceed the ten (10) year term established by subsection (c) of this section.

(e) A party owning a brand declared delinquent under subsection (a) of this section may provide payment in full of the required recording fee and any delinquency fees at the time of brand inspection.

**Section 3.** W.S. 11-20-115(b) is repealed.

ORIGINAL HOUSE  
BILL NO. HB0134

ENGROSSED

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**Section 4.** This act is effective July 1, 2019.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the House.

\_\_\_\_\_  
Chief Clerk