

ORIGINAL SENATE
FILE NO. SF0081

ENROLLED ACT NO. 34, SENATE

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2020 BUDGET SESSION

AN ACT relating to brands; amending provisions related to the rerecording of brands; authorizing the extension of the rerecording period for up to one hundred years; amending the recording fee; providing for notice of continuation; repealing the provision for permanently recorded brands; and providing for an effective date.

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

Section 1. W.S. 11-20-115 and 11-20-116(a) are amended to read:

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

(a) ~~Except as provided in W.S. 11-20-126, every tenth year after recording a brand,~~ Every owner of a brand shall rerecord the brand according to the applicable time periods established by the board pursuant to subsection (c) of this section, 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~~ owner of 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~~ owner of 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

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hundred fifty dollars (\$150.00). If a delinquent brand is not rerecorded within 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~~ owner of 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) The term of the rerecording period shall ~~not exceed~~ be in ten (10) ~~years~~ year increments, not to exceed one hundred (100) years at the option of the owner of the brand. The renewal schedule and the method of renewal shall be established by the board. Every owner of a brand shall rerecord the brand ~~every ten (10) years~~ pursuant to the renewal schedule established by the board and shall pay the renewal fee specified by W.S. 11-20-116 which shall be prorated by the board for any renewal of less than ten (10) years.

(d) As part of a rerecording notice or abandonment notice sent under subsection (a) of this section, the board shall offer the option to ~~a party~~ the owner of the brand to rerecord all brands ~~that the party owns~~ owned by the same person 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. The board shall offer the option to the owner of the brand to extend the rerecording period in ten (10) year increments not to exceed one hundred (100) years upon payment of the appropriate fee as specified in W.S. 11-20-116(a).

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(e) ~~A party owning~~ The owner of 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.

11-20-116. Fees for renewal, transfer of ownership or alteration of brand; recording bill of sale deemed renewal.

(a) For renewing any brand previously recorded and issuing a certificate of renewal, the board shall charge not less than three hundred dollars (\$300.00) for each ten (10) year period, provided that if the renewal is for more than fifty (50) years, the fee shall be not less than one hundred dollars (\$100.00) for each ten (10) year period beyond fifty (50) years. The fee shall cover any additional species of livestock for which the brand was previously recorded.

Section 2. W.S. 11-20-126 is repealed.

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Section 3. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk