

AMENDMENTS TO LB1187

Introduced by DeKay, 40.

1           1. Strike the original sections and insert the following new  
2 sections:

3           **Section 1.** Section 54-170, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5           54-170 Sections 54-170 to 54-1,131 and sections 3 to 5 and 7 of this  
6 act shall be known and may be cited as the Livestock Brand Act.

7           **Sec. 2.** Section 54-171, Reissue Revised Statutes of Nebraska, is  
8 amended to read:

9           54-171 For purposes of the Livestock Brand Act, the definitions  
10 found in sections 54-171.01 to 54-190 and sections 3 to 5 of this act  
11 shall be used.

12           **Sec. 3.** Backgrounding lot means a grow yard that is located within  
13 or outside of the brand inspection area and that prepares cattle for  
14 entry into a registered feedlot.

15           **Sec. 4.** Brand committee means the Nebraska Brand Committee.

16           **Sec. 5.** Dairy heifer development facility means a facility that  
17 specializes in raising and managing dairy heifers until such dairy  
18 heifers are ready for breeding or calving.

19           **Sec. 6.** Section 54-191, Reissue Revised Statutes of Nebraska, is  
20 amended to read:

21           54-191 (1) The Nebraska Brand Committee is hereby created.

22           (2) This subsection applies prior to July 1, 2026. Beginning August  
23 28, 2007, the brand committee shall consist of five members appointed by  
24 the Governor, subject to confirmation by the Legislature. At least three  
25 appointed members shall be active cattlemen and at least one  
26 appointed member shall be an active cattle feeder. The Secretary of State  
27 and the Director of Agriculture, or their designees, shall be nonvoting,

1 ex officio members of the brand committee. The appointed members shall be  
2 owners of cattle within the brand inspection area, shall reside within  
3 the brand inspection area, shall be owners of Nebraska-recorded brands,  
4 and shall be persons whose principal business and occupation is the  
5 raising or feeding of cattle within the brand inspection area.

6 (3) This subsection applies beginning on July 1, 2026. Beginning  
7 July 1, 2026, the brand committee shall consist of:

8 (a) The following seven voting members who are appointed by the  
9 Governor and subject to confirmation by the Legislature:

10 (i) One active cattlepersion from brand committee district one as  
11 described in section 7 of this act;

12 (ii) One active cattlepersion from brand committee district two as  
13 described in section 7 of this act;

14 (iii) One active cattlepersion from brand committee district three as  
15 described in section 7 of this act;

16 (iv) One purebred cattle breeder;

17 (v) Two owners or operators of a cattle feeding operation; and

18 (vi) One owner or operator of a livestock auction market that  
19 primarily sells cattle; and

20 (b) The following two nonvoting, ex officio members or their  
21 designees:

22 (i) The Secretary of State; and

23 (ii) The Director of Agriculture.

24 (4) (2) The appointed members of the brand committee shall elect a  
25 chairperson and vice-chairperson from among its appointed members during  
26 the first meeting held after July 1 of September 1 each calendar year. A  
27 member may be reelected to serve as chairperson or vice-chairperson.

28 (5)(a) This subdivision applies prior to July 1, 2026. (3) The terms  
29 of the appointed members shall be four-year, staggered terms, beginning  
30 on August 28 of the year of initial appointment or reappointment and  
31 concluding on June 30, 2026 August 27 of the year of expiration.

1       (b)(i) This subdivision applies beginning on July 1, 2026. The terms  
2 of the appointed members shall begin on July 1 of the year of initial  
3 appointment or reappointment and conclude on June 30 of the year of  
4 expiration.

5       (ii) The term length for a member appointed for a term that begins  
6 on July 1, 2026, is:

7       (A) Two years for a member appointed under subdivision (3)(a)(i),  
8 (iii), or (v) of this section; or

9       (B) Four years for a member appointed under subdivision (3)(a)(ii),  
10 (iv), or (vi) of this section.

11       (iii) The term length for a member appointed for a term that begins  
12 after July 1, 2026, is four years.

13       (c) At the expiration of the term of an appointed member, the  
14 Governor shall appoint a successor, subject to confirmation by the  
15 Legislature. If there is a vacancy on the brand committee, the Governor  
16 shall fill such vacancy by appointing a member to serve during the  
17 unexpired term of the member whose office has become vacant. Any  
18 appointment to fill a vacancy shall be subject to confirmation by the  
19 Legislature.

20       (6) An appointed member of the brand committee may be removed by the  
21 Governor for inefficiency, neglect of duty, failure to maintain the  
22 qualifications for the position for which appointed, or misconduct in  
23 office, if:

24       (a) The member has been provided a written notice that:

25       (i) The member is being removed from the brand committee;

26       (ii) Includes a copy of the charges;

27       (iii) Affords an opportunity for the member to be heard at a public  
28 hearing, either in person or represented by counsel; and

29       (iv) Is provided at least ten days prior to the member being removed  
30 from the brand committee;

31       (b) Such public hearing is held before the Governor; and

- 1           (c) The Governor files, in the office of the Secretary of State:  
2           (i) A complete statement of all charges made against such member;  
3           (ii) The Governor's findings regarding such charges; and  
4           (iii) A complete record of the proceedings of such public hearing.

5           (7) (4) The action of a majority of the members shall be deemed the  
6 action of the brand committee. No appointed member shall hold any  
7 elective or appointive state or federal office while serving as a member  
8 of the brand committee. Each member and each brand committee employee who  
9 collects or who is the custodian of any funds shall be bonded or insured  
10 as required under section 11-201. The appointed members of the brand  
11 committee shall be reimbursed for expenses in attending meetings of the  
12 brand committee or in performing any other duties that are prescribed in  
13 the Livestock Brand Act or section 54-415, as provided for in sections  
14 81-1174 to 81-1177.

15           (8) The purpose of the Nebraska Brand Committee is to protect  
16 Nebraska brand and livestock owners from the theft of livestock through  
17 established brand recording, brand inspection, and livestock theft  
18 investigation.

19           **Sec. 7.** The State of Nebraska is divided into the following three  
20 brand committee districts:

21           (1) Brand committee district one consists of the following counties:  
22 Arthur, Banner, Blaine, Box Butte, Boyd, Brown, Cherry, Cheyenne, Dawes,  
23 Deuel, Garden, Garfield, Grant, Holt, Hooker, Keya Paha, Kimball, Knox,  
24 Logan, Loup, McPherson, Morrill, Rock, Scotts Bluff, Sheridan, Sioux,  
25 Thomas, and Wheeler.

26           (2) Brand committee district two consists of the following counties:  
27 Buffalo, Chase, Custer, Dawson, Dundy, Franklin, Frontier, Furnas,  
28 Gosper, Greeley, Harlan, Hayes, Hitchcock, Kearney, Keith, Lincoln,  
29 Perkins, Phelps, Red Willow, Sherman, and Valley.

30           (3) Brand committee district three consists of the following  
31 counties: Adams, Antelope, Boone, Burt, Butler, Cass, Cedar, Clay,

1 Colfax, Cuming, Dakota, Dixon, Dodge, Douglas, Fillmore, Gage, Hall,  
2 Hamilton, Howard, Jefferson, Johnson, Lancaster, Madison, Merrick, Nance,  
3 Nemaha, Nuckolls, Otoe, Pawnee, Pierce, Platte, Polk, Richardson, Saline,  
4 Sarpy, Saunders, Seward, Stanton, Thayer, Thurston, Washington, Wayne,  
5 Webster, and York.

6 **Sec. 8.** Section 54-192, Reissue Revised Statutes of Nebraska, is  
7 amended to read:

8 54-192 (1) The Nebraska Brand Committee shall employ such employees  
9 as may be necessary to properly carry out the Livestock Brand Act and  
10 section 54-415, fix the salaries of such employees, and make such  
11 expenditures as are necessary to properly carry out such act and section.  
12 Employees of the brand committee shall receive mileage computed at the  
13 rate provided in section 81-1176. The brand committee shall select and  
14 designate a location or locations where the brand committee shall keep  
15 and maintain an office and where records of the brand inspection and  
16 investigation proceedings, transactions, communications, brand  
17 registrations, and official acts shall be kept.

18 (2) The brand committee shall appoint ~~employ~~ an executive director  
19 who shall be the brand committee head for administrative purposes. The  
20 appointment shall be subject to the approval of the Governor and a  
21 majority of the Legislature. The executive director shall keep a record  
22 of all proceedings, transactions, communications, and official acts of  
23 the brand committee, shall be custodian of all records of the brand  
24 committee, and shall perform such other duties as may be required by the  
25 brand committee. The executive director shall call a meeting at the  
26 direction of the chairperson of the brand committee, or in his or her  
27 absence the vice-chairperson, or upon the written request of two or more  
28 members of the brand committee. The executive director shall have  
29 supervisory authority to direct and control all full-time and part-time  
30 employees of the brand committee. This authority allows the executive  
31 director to hire employees as are needed on an interim basis subject to

1 approval or confirmation by the brand committee for regular employment.  
2 The executive director may place employees on probation and may discharge  
3 an employee.

4 (3) The brand committee shall employ a chief investigator who shall  
5 report to the executive director. The chief investigator shall meet the  
6 qualifications of an investigator as defined in section 54-182. Under the  
7 direction of the executive director, the chief investigator shall be  
8 chief of field operations and supervise brand committee investigators and  
9 inspectors.

10 (4) The brand committee shall employ a brand recorder who shall be  
11 responsible for the processing of all applications for new livestock  
12 brands, the transfer of ownership of existing livestock brands, the  
13 maintenance of accurate and permanent records relating to livestock  
14 brands, and such other duties as may be required by the brand committee.

15 (5) If any employee of the brand committee after having been  
16 disciplined, placed on probation, or having had his or her services  
17 terminated desires to have a hearing before the entire brand committee,  
18 such a hearing shall be granted as soon as is practicable and convenient  
19 for all persons concerned. The request for such a hearing shall be made  
20 in writing by the employee alleging the grievance and shall be directed  
21 to the executive director. After hearing all testimony surrounding the  
22 grievance of such employee, the brand committee, at its discretion, may  
23 approve, rescind, nullify, or amend all actions as previously taken by  
24 the executive director.

25 **Sec. 9.** Section 54-1,102, Reissue Revised Statutes of Nebraska, is  
26 amended to read:

27 54-1,102 (1) A recorded brand may be applied by its owner until its  
28 expiration date.

29 (2) On and after January 1, 1994, the expiration date of a recorded  
30 brand is the last day of the calendar quarter of the renewal year as  
31 designated by the Nebraska Brand Committee in the records of the brand

1 committee.

2 (3) The brand committee shall notify every owner of a recorded brand  
3 of its expiration date at least sixty days prior to the expiration date,  
4 and the owner of the recorded brand shall pay a renewal fee established  
5 by the brand committee which shall not be more than four ~~two~~ hundred  
6 dollars and furnish such other information as may be required by the  
7 brand committee. The renewal fee is due and payable on or before the  
8 expiration date and renews a recorded brand for a period of four years  
9 regardless of the number of locations on one side of an animal on which  
10 the brand is recorded. If any owner fails, refuses, or neglects to pay  
11 the renewal fee by the expiration date, the brand shall expire and be  
12 forfeited.

13 (4) The brand committee has the authority to hold an expired brand  
14 for one year following the date of expiration. An expired brand may be  
15 reinstated by the same owner during such one-year period upon return of a  
16 brand application form and payment of the recording fee and research fee  
17 for such brand established by the brand committee under section 54-199  
18 plus a penalty of five dollars for each month or part of a month which  
19 has passed since the date of expiration. A properly reinstated brand may  
20 be transferred to another person during such one-year period upon  
21 completion of a transfer form, with a notarized bill of sale signed by  
22 the prior owner attached to such transfer form.

23 **Sec. 10.** Section 54-1,108, Reissue Revised Statutes of Nebraska, is  
24 amended to read:

25 54-1,108 (1)(a) All physical inspections for brands provided for in  
26 the Livestock Brand Act or section 54-415 shall be from sunrise to  
27 sundown or during such other hours and under such conditions as the  
28 Nebraska Brand Committee determines. The brand committee shall assess a  
29 fifty-dollar late notice surcharge if a request for a physical inspection  
30 is made less than forty-eight hours prior to the date of inspection.

31 (b) A physical inspection shall be required when brands applied by

1 hot iron or freeze branding methods are the exclusive means of ownership  
2 identification and in all other cases that do not qualify for electronic  
3 inspection as provided in subsection (2) of this section.

4 ~~(c)(i) A (c) Beginning October 1, 2021, a physical inspection fee of~~  
5 ~~eighty five cents per head until June 30, 2023, and beginning July 1,~~  
6 ~~2023, a fee established by the Nebraska Brand Committee, of not more than~~  
7 ~~one dollar and fifty cents one dollar and ten cents~~ per head shall be  
8 charged for all cattle inspected in accordance with the Livestock Brand  
9 Act or section 54-415, inspected within the brand inspection area or  
10 brand inspection service area by court order, inspected at the request of  
11 any bank, credit agency, or lending institution with a legal or financial  
12 interest in such cattle, or inspected at the request of a neighboring  
13 livestock owner with missing cattle.

14 (ii) The inspection fee for court-ordered inspections shall be paid  
15 from the proceeds of the sale of such cattle if ordered by the court or  
16 by either party as the court directs.

17 (iii) For ~~other~~ inspections not described in subdivision (1)(c)(ii)  
18 of this section, the person requesting the inspection of such cattle is  
19 responsible for the inspection fee.

20 (iv) Brand inspections requested by either a purchaser or seller of  
21 cattle located within the brand inspection service area shall be provided  
22 upon the same terms and charges as brand inspections performed within the  
23 brand inspection area.

24 (v) If stray cattle are identified as a result of the inspection,  
25 such cattle shall be processed in the manner provided by section 54-415.

26 (d) A surcharge, as established by the brand committee of not more  
27 than thirty dollars, may be charged to cover travel expenses incurred by  
28 the brand inspector per inspection location when performing a brand  
29 inspection. The surcharge shall be collected by the brand inspector and  
30 paid by the person requesting the inspection or the person required by  
31 law to have the inspection. The actual mileage incurred by the inspector

1 ~~to perform a physical inspection shall be paid by the party requesting~~  
2 ~~inspection and paid at the rate established by the Department of~~  
3 ~~Administrative Services pursuant to section 81-1176.~~

4 (e) For physical inspections performed outside of the brand  
5 inspection area that are not provided for in subdivision (c) of this  
6 subsection, the fee shall be the inspection fee established in such  
7 subdivision plus a fee to cover the actual expense of performing the  
8 inspection, including mileage at the rate established by the Department  
9 of Administrative Services and an hourly rate, not to exceed thirty  
10 dollars per hour, for the travel and inspection time incurred by the  
11 brand committee to perform such inspection. The brand committee shall  
12 charge and collect the actual expense fee. Such fee shall apply to  
13 inspections performed outside the brand inspection area as part of an  
14 investigation into known or alleged violations of the Livestock Brand Act  
15 and shall be charged against the person committing the violation.

16 (2)(a) The brand committee may provide for electronic inspection of  
17 enrolled cattle identified by approved nonvisual identifiers pursuant to  
18 subsection (5) of section 54-199. The brand committee shall establish  
19 procedures for enrollment of such cattle with the brand committee which  
20 shall include providing acceptable certification or evidence of  
21 ownership. Electronic inspection shall not require agency employees to be  
22 present, except that random audits shall occur.

23 (b) ~~An Beginning October 1, 2021, an electronic inspection fee not~~  
24 ~~to exceed eighty-five cents per head until June 30, 2023, and beginning~~  
25 ~~July 1, 2023, a fee established by the brand committee of not more than~~  
26 one dollar and fifty cents ~~one dollar and ten cents~~ per head shall be  
27 charged for all cattle subjected to electronic inspection in accordance  
28 with the Livestock Brand Act or section 54-415.

29 (c) A certified bill of sale for sale of calves shall be provided to  
30 qualified dairies once the required information is electronically  
31 transferred to the brand committee on calves under thirty days of age.

1 The fee shall be the same as for an electronic inspection under  
2 subdivision (2)(b) of this section.

3 (d) A certified transportation permit shall be provided to qualified  
4 dairies after the required information is electronically transferred to  
5 the brand committee on calves under thirty days of age which are moved  
6 out of the inspection area. The fee shall be the same as for an  
7 electronic inspection under subdivision (2)(b) of this section.

8 (e) On or before December 1, ~~2021~~ 2027, the brand committee shall  
9 report to the Legislature any actions taken or necessary for implementing  
10 electronic inspection authorized by this subsection, including personnel  
11 and other resources utilized to support electronic inspection, how the  
12 brand committee's information technology capabilities are utilized to  
13 support electronic inspection, a listing of approved nonvisual  
14 identifiers, the requirements for enrolling cattle identified by approved  
15 nonvisual identifiers, current and anticipated utilization of electronic  
16 inspection by the livestock industry, and the fees required to recover  
17 costs of performing electronic inspection.

18 (3) Any person who has reason to believe that cattle were shipped  
19 erroneously due to an inspection error during a brand inspection may  
20 request a reinspection. The person making such request shall be  
21 responsible for the expenses incurred as a result of the reinspection  
22 unless the results of the reinspection substantiate the claim of  
23 inspection error, in which case the brand committee shall be responsible  
24 for the reinspection expenses.

25 **Sec. 11.** Section 54-1,111, Reissue Revised Statutes of Nebraska, is  
26 amended to read:

27 54-1,111 (1) Except as provided in subsection (2) of this section,  
28 no person shall sell or trade any cattle located within the brand  
29 inspection area, nor shall any person buy or purchase any such cattle  
30 unless the cattle have been inspected for evidence of ownership and a  
31 certificate of inspection or brand clearance has been issued by the

1 Nebraska Brand Committee. Any person selling such cattle shall present to  
2 the brand inspector a properly executed bill of sale, brand clearance, or  
3 other satisfactory evidence of ownership which shall be filed with the  
4 original certificate of inspection in the records of the brand committee.  
5 Any time a brand inspection is required by law, a brand investigator or  
6 brand inspector may transfer evidence of ownership of such cattle from a  
7 seller to a purchaser by issuing a certificate of inspection.

8 (2) A brand inspection is not required:

9 (a) For cattle of a registered feedlot that are registered under  
10 sections 54-1,120 to 54-1,122 shipped for direct slaughter or sale on any  
11 terminal market;

12 (b) For cattle that are:

13 (i) Transferred to a family corporation when all the shares of  
14 capital stock of the corporation are owned by the husband, wife,  
15 children, or grandchildren of the transferor and there is no  
16 consideration for the transfer other than the issuance of stock of the  
17 corporation to such family members; or

18 (ii) Transferred to a limited liability company in which membership  
19 is limited to the husband, wife, children, or grandchildren of the  
20 transferor and there is no consideration paid for the transfer other than  
21 a membership interest in the limited liability company;

22 (c) When the change of ownership of cattle is a change in form only  
23 and the surviving interests are in the exact proportion as the original  
24 interests of ownership. When there is a change of ownership described in  
25 subdivision (2)(b) or (c) of this section, an affidavit, on a form  
26 prescribed by the Nebraska Brand Committee, signed by the transferor and  
27 stating the nature of the transfer and the number of cattle involved and  
28 the brands presently on the cattle, shall be filed with the brand  
29 committee;

30 (d) For cattle sold or purchased for educational or exhibition  
31 purposes or other recognized youth activities if a properly executed bill

1 of sale is exchanged and presented upon demand. Educational or exhibition  
2 purpose means cattle sold or purchased for the purpose of being fed,  
3 bred, managed, or tended in a program designed to demonstrate or instruct  
4 in the use of various feed rations, the selection of individuals of  
5 certain physical conformation or breeds, the measurement and recording of  
6 rate of gain in weight or fat content of meat or milk produced, or the  
7 preparation of cattle for the purpose of exhibition or for judging as to  
8 quality and conformation;

9 (e) For calves under the age of thirty days sold or purchased at  
10 private treaty if a bill of sale is exchanged and presented upon demand;  
11 and

12 (f) For seedstock cattle raised by the seller and individually  
13 registered with an organized breed association if a properly executed  
14 bill of sale is exchanged and presented upon demand; -

15 (g) For cattle that are occupying a qualified dairy;

16 (h) For cattle that are occupying a dairy heifer development  
17 facility; and

18 (i) For cattle that are transferred to the temporary care of another  
19 party without a transfer of ownership of such cattle if such other party  
20 is in possession of a completed form that documents the number of cattle  
21 and a physical description of the cattle, including but not limited to  
22 the brands, tattoos, or marks on the livestock. The brand committee may  
23 develop and make available forms for the purposes of this subdivision.

24 (3) A violation of this section is an infraction. A peace officer  
25 shall have the authority to write a citation, which shall be waivable, to  
26 offenders in violation of this section. A fine under this section shall  
27 not exceed two hundred dollars per head for each offense. Violations  
28 shall be charged in the county in which the offense occurred.

29 **Sec. 12.** Section 54-1,120, Reissue Revised Statutes of Nebraska, is  
30 amended to read:

31 54-1,120 (1)(a) ~~(1)~~ Any person who operates a cattle feeding

1 operation located within the brand inspection area may apply make  
2 ~~application~~ to the brand committee ~~Nebraska Brand Committee~~ for  
3 registration as a registered feedlot. The application form shall be  
4 prescribed by the brand committee and shall be made available by the  
5 executive director of the brand committee for this purpose upon written  
6 request. If the applicant is an individual, the application shall include  
7 the applicant's social security number. After the brand committee has  
8 received a properly completed application, an agent of the brand  
9 committee shall within thirty days make an investigation to determine if  
10 the following requirements are satisfied:

11 (i) ~~(a)~~ The operator's feedlot shall ~~must~~ be permanently fenced; and  
12 (ii) ~~(b)~~ The operator shall ~~must~~ commonly practice feeding cattle to  
13 finish for slaughter.

14 (b) If the application is satisfactory, and upon payment of an  
15 initial registration fee by the applicant, the brand committee shall  
16 issue a registration number and registration certificate valid for one  
17 year unless rescinded for cause. If the registration is rescinded for  
18 cause, any registration fee shall be forfeited by the applicant.

19 (c)(i) The initial registration fee and the annual renewal  
20 registration fee for a registered feedlot shall be an amount that is  
21 twenty cents multiplied by the maximum livestock capacity of the  
22 registered feedlot. ~~for a registered feedlot having one thousand head or~~  
23 ~~less capacity and an equal amount for each additional one thousand head~~  
24 ~~capacity, or part thereof, of such registered feedlot. For each~~  
25 ~~subsequent year, the renewal fee for a registered feedlot shall be an~~  
26 ~~amount for the first one thousand head or portion thereof of average~~  
27 ~~annual inventory of cattle on feed of the registered feedlot and an equal~~  
28 ~~amount for each additional one thousand head or portion thereof of~~  
29 ~~average annual inventory of cattle on feed of the registered feedlot. The~~  
30 ~~brand committee shall set the fee per one thousand head capacity or~~  
31 ~~average annual inventory so as to correspond with the inspection fee~~

1 ~~provided under section 54-1,108.~~

2 (ii) The annual renewal registration fee shall be paid on an annual  
3 basis.

4 (2) The brand committee may adopt and promulgate rules and  
5 regulations for the operation of registered feedlots to assure that brand  
6 laws are complied with, that registered feedlot shipping certificates are  
7 available, and that proper records are maintained. Violation of sections  
8 54-1,120 to 54-1,122 subjects the operator to revocation or suspension of  
9 the feedlot registration issued. Sections 54-1,120 to 54-1,122 shall not  
10 be construed as prohibiting the operation of nonregistered feedlots.

11 ~~(3) Registered feedlots are subject to inspection at any reasonable~~  
12 ~~time at the discretion of the brand committee and its authorized agents,~~  
13 ~~and the operator shall show cattle purchase records or certificates of~~  
14 ~~inspection to cover all cattle in his or her feedlot. Cattle having~~  
15 ~~originated from such registered feedlots may from time to time, at the~~  
16 ~~discretion of the committee, be subject to a spot-check inspection and~~  
17 ~~audit at destination to enable the brand committee to assure satisfactory~~  
18 ~~compliance with the brand laws by the registered feedlot operator.~~

19 (3) (4) The operator of a registered feedlot shall keep cattle  
20 inventory records. A form for such purpose shall be prescribed by the  
21 brand committee. The brand committee and its employees may from time to  
22 time make spot checks and audits of the registered feedlots and the  
23 records of cattle on feed in such feedlots.

24 (4)(a) Except as provided in subdivision (b) of this subsection, the  
25 brand committee or its employees may audit each registered feedlot not  
26 more than twice in a calendar year.

27 (b) The brand committee or its employees may audit a registered  
28 feedlot more than twice in a calendar year if:

29 (i) The audit is approved by a majority vote of the brand committee;  
30 and

31 (ii) The brand committee finds that probable cause exists of a

1 violation by the registered feedlot of the Livestock Brand Act or any  
2 rules and regulations that are adopted and promulgated under the act.

3 (c) During an audit that is conducted under this subsection, the  
4 operator of the registered feedlot shall show:

5 (i) The records of cattle on feed in the registered feedlot; and

6 (ii) Cattle purchase records or certificates of inspection for all  
7 cattle in the registered feedlot.

8 (5) The brand committee may rescind the registration of any  
9 registered feedlot operator who fails to cooperate or violates the laws  
10 or rules and regulations of the brand committee relating to covering  
11 registered feedlots.

12 **Sec. 13.** Section 54-1,122, Reissue Revised Statutes of Nebraska, is  
13 amended to read:

14 54-1,122 (1)(a) Cattle may be moved directly into a registered  
15 feedlot or a backgrounding lot without being subject to brand inspection  
16 if such cattle:

17 (i)(A) Originate Any cattle originating in a state that has a brand  
18 inspection agency; and

19 (B) Are and which are accompanied by a certificate of inspection or  
20 brand clearance issued by such agency; or may be moved directly from the  
21 point of origin into a registered feedlot.

22 (ii)(A) Originate in a state, or a portion of a state, that does not  
23 have brand inspection; and

24 (B) Are accompanied by satisfactory evidence of ownership.

25 (b) Cattle may be moved into a registered feedlot from another  
26 registered feedlot or a backgrounding lot without being subject to brand  
27 inspection if such cattle:

28 (i) Were inspected upon arrival at such other registered feedlot or  
29 upon arrival at such backgrounding lot; and

30 (ii) Are accompanied by satisfactory evidence of ownership.

31 (2)(a) Cattle that are not described in subsection (1) of this

1 ~~section shall be subject~~ Any cattle not accompanied by such a certificate  
2 ~~of inspection or brand clearance or by satisfactory evidence of ownership~~  
3 ~~from states or portions of states not having brand inspection shall be~~  
4 ~~subjected~~ to physical inspection for brands by the brand committee  
5 ~~Nebraska Brand Committee~~ or, if applicable, subject subjected to  
6 electronic inspection, within a reasonable time after arrival at a  
7 registered feedlot or backgrounding lot. 7

8 (b) For cattle that are subject to brand inspection under this  
9 subsection, and the inspection fee and surcharge ~~mileage charge,~~ if  
10 applicable, provided under section 54-1,108 shall be collected by the  
11 brand inspector at the time the inspection is performed.

12 **Sec. 14.** Original sections 54-170, 54-171, 54-191, 54-192,  
13 54-1,102, 54-1,108, 54-1,111, 54-1,120, and 54-1,122, Reissue Revised  
14 Statutes of Nebraska, are repealed.

15 **Sec. 15.** Since an emergency exists, this act takes effect when  
16 passed and approved according to law.