

SENATE BILL No. 414

By Committee on Agriculture

2-9

1 AN ACT concerning agriculture; relating to animal health; amending  
 2 K.S.A. 47-120, 47-121, 47-122, 47-237, 47-238, 47-419, 47-422, 47-  
 3 424, 47-656, 47-1001, 47-1002, 47-1005, 47-1010, 47-1102, 47-1213,  
 4 47-1217, 47-1219, 47-1301, 47-1305, 47-1306, 47-1509, 47-1701, 47-  
 5 1710, 47-1711, 47-1712, 47-1723, 47-1725, 47-1727, 47-1801, 47-  
 6 1804, 47-1807 and 47-2306 and K.S.A. 2011 Supp. 47-1008, 47-1302,  
 7 47-1706, 47-1707, 47-1708, 47-1709, 47-1809 and 47-1826 and  
 8 repealing the existing sections; also repealing K.S.A. 47-619, 47-621,  
 9 47-636, 47-637, 47-638, 47-639, 47-641, 47-642, 47-643, 47-644, 47-  
 10 647, 47-648, 47-649, 47-650, 47-651, 47-652, 47-653, 47-653d, 47-  
 11 653e, 47-653f, 47-653g, 47-653h, 47-666, 47-667, 47-668, 47-669, 47-  
 12 670, 47-671, 47-921, 47-922, 47-923 and 47-1005b and K.S.A. 2011  
 13 Supp. 47-672 and 47-1307.  
 14

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

16 New Section 1. In addition to the remedies provided under K.S.A. 47-  
 17 1001 *et seq.*, and amendments thereto, the commissioner is hereby  
 18 authorized to apply to the district court for an injunction restraining any  
 19 person from violating any provision of K.S.A. 47-1001 *et seq.*, and  
 20 amendments thereto. Such court, upon a showing of cause therefore, shall  
 21 have jurisdiction to grant such injunction irrespective of whether or not  
 22 there exists an adequate remedy at law.

23 New Sec. 2. For purposes of administrative proceedings of the  
 24 division of animal health of the Kansas department of agriculture, "agency  
 25 head" means the Kansas secretary of agriculture or the animal health  
 26 commissioner of the Kansas department of agriculture, when acting on  
 27 behalf of the secretary.

28 Sec. 3. K.S.A. 47-120 is hereby amended to read as follows: 47-120.  
 29 (a) Nothing herein contained shall be so construed as to prevent drovers or  
 30 other persons from driving ~~swine~~ livestock from one place to another along  
 31 any public highway, the owner or owners being responsible for all  
 32 damages that any person or persons may sustain in consequence of the  
 33 driving of such ~~swine~~ livestock.

34 (b) For the purposes of K.S.A. 47-120 through 47-122, and  
 35 amendments thereto, "livestock" shall mean any cattle, bison, swine,  
 36 sheep, goats, horses, mules, domesticated deer, *carnellias*, all creatures of

Proposed amendments to SB 414 by Kansas Dept. of  
 Agriculture  
 Committee on Agriculture  
 3/7/12  
 Prepared by David Wiese  
 Office of Revisor of Statutes

47-654, 47-655, 47-656,

1 the rattle family that are not indigenous to this state, including, but not  
2 limited to, ostriches, emus and rheas, and any other animal as deemed  
3 necessary by the animal health commissioner established through rules  
4 and regulations.

5 Sec. 4. K.S.A. 47-121 is hereby amended to read as follows: 47-121.  
6 That any person or persons other than the owner or his such owner's  
7 authorized agent who shall willfully drive or cause to be driven any horses;  
8 cattle, mules, sheep or swine or other domestic animals livestock further  
9 from their usual and customary range than the nearest corral obtainable  
10 without the written consent of the owner, or who shall neglect to return  
11 such horses, mules, cattle, sheep or swine or other domestic animals  
12 livestock immediately to their accustomed range, shall in either case be  
13 deemed guilty of a misdemeanor, and on conviction thereof shall be  
14 punished by imprisonment in the county jail not exceeding ninety days, or  
15 by a fine of not less than twenty-five dollars \$100 nor more than one  
16 hundred dollars \$1,000, or by both such fine and imprisonment, in the  
17 discretion of the court.

18 Sec. 5. K.S.A. 47-122 is hereby amended to read as follows: 47-122.  
19 It shall be unlawful for any domestic animal, other than dogs and cats,  
20 livestock to run at large.

21 Sec. 6. K.S.A. 47-237 is hereby amended to read as follows: 47-237.  
22 If any person shall unlawfully take up any stray or fails to comply with the  
23 provisions of this act or uses or works such stray before giving notice or  
24 shall drive the same on any premises for the purpose of unlawfully taking  
25 up the same, or shall keep the same out of the county when taken up more  
26 than five days at one time before sale, he such person shall be guilty of a  
27 misdemeanor and upon conviction thereof shall be punished by a fine of  
28 not exceeding one hundred dollars \$500, or by imprisonment for not  
29 exceeding thirty 30 days, or by both such fine and imprisonment.

30 Sec. 7. K.S.A. 47-238 is hereby amended to read as follows: 47-238.  
31 After the sheriff has received notice of the taking up of any stray, and the  
32 ownership not having been established, the sheriff shall advertise such  
33 stray in the area where taken up, and shall cause the stray animal to be  
34 delivered to a public livestock market or to a terminal livestock market,  
35 and shall sell or cause said such stray animal to be sold at such a market to  
36 the highest bidder for cash. ~~Provided~~. Such advertisement shall be at least  
37 seven (7) days before sale date, and such sale date shall be at least twenty-  
38 one (21) days after the date the stray was reported to the sheriff.

39 Sec. 8. K.S.A. 47-419 is hereby amended to read as follows: 47-419.  
40 When any brand is recorded, as provided herein, the owner thereof shall be  
41 entitled to one certified copy of the record of such brand from the  
42 commissioner. Additional certified copies of such record may be obtained  
43 by anyone upon the payment of a fee in an amount fixed by the

Strike "animal"

1 commissioner and approved by the director of accounts and reports under  
2 K.S.A. 45-204 for each copy.

registered with the animal health  
commissioner of the Kansas department  
of agriculture

3 Sec. 9. K.S.A. 47-422 is hereby amended to read as follows: 47-422.

4 (d) Any brand recorded with the requirements of this act shall be the  
5 ~~commissioner~~ in compliance with the requirements of this act shall be the

Such brand  
animal health

6 property of the person causing such record to be made and shall be subject  
7 to sale, assignment, transfer, devise, and descent as other personal  
8 property. Instruments of writing evidencing the sale, assignment or transfer

insert " " and capitalize "the"

9 of such brand shall be recorded by the livestock commissioner and the fee  
10 for recording such instruments of writing shall be \$15. Such instruments  
11 shall have the same force and effect as recorded instruments affecting real

insert " " and capitalize "a"

12 estate, and a certified copy of the record of any such instrument may be  
13 introduced in evidence the same as is now provided for certified copies of  
14 instruments affecting real estate. Any brand recorded with the Kansas  
15 animal health department ~~commissioner~~ shall not be used by any person  
16 other than the recorded owner.

Kansas department of agriculture division  
of animal health

17 (b) Any person violating any provision of this section shall be guilty  
18 of a class C misdemeanor.

19 (c) In addition to the penalties provided in subsection (b), the  
20 commissioner, after providing notice and opportunity for a hearing in  
21 accordance with the Kansas administrative procedure act, may assess a  
22 civil penalty against any person who violates or fails to comply with the  
23 requirements of this act, or any rules or regulations adopted hereunder, of  
24 not less than \$100 nor more than \$1,000 per violation. A separate civil  
25 penalty may be assessed for each separate violation. Such civil penalty  
26 may be assessed in addition to any other penalty provided by law.

27 Sec. 10. K.S.A. 47-424 is hereby amended to read as follows: 47-424.

28 The commissioner shall from time to time cause to be published in book  
29 form or produce in electronic format, a list of all brands and marks on  
30 record at the time of such publication. Such lists may be supplemented  
31 from time to time. Such publication or production shall contain a facsimile  
32 of all brands recorded, together with the owner's name and post-office  
33 address. Said Such records shall be arranged in convenient form for  
34 reference. The commissioner shall send, to the sheriff of each county, one  
35 copy of said such brand book and supplement thereto or electronically  
36 formatted copy thereof, which shall be kept as a matter of public record.  
37 The commissioner may exchange brand books and supplements thereto or  
38 electronically formatted copies thereof with livestock brand  
39 commissioners and directors of other states, and with the executive officer  
40 of a statewide organization of any other state which is charged with  
41 administration of brand laws of such state. The commissioner may make  
42 other distribution of brand books and supplements or electronically  
43 formatted copies thereof without charge, to Kansas licensed veterinarians

1 and licensed public livestock market operators, when the commissioner  
2 deems such distribution desirable and an aid to the effective administration  
3 of the brand laws of this state. Said Such books or electronically formatted  
4 copies of the production may be sold to the general public at a price to be  
5 determined by the commissioner which shall be based on the cost of  
6 printing or storing, preparation and postage.

7 Sec. 11. ~~K.S.A. 47-656 is hereby amended to read as follows: 47-656-~~  
8 ~~(e) Any person violating the provisions of this act shall be guilty of a~~  
9 ~~misdemeanor and fined in a sum not less than \$10, \$100 or more than \$100~~  
10 ~~\$500 for each offense.~~

11 ~~(b) The animal health commissioner of the Kansas department of~~  
12 ~~agriculture after providing notice and opportunity for a hearing in~~  
13 ~~accordance with the Kansas administrative procedure act may assess a~~  
14 ~~civil penalty against any person who violates or fails to comply with the~~  
15 ~~requirements of K.S.A. 47-654 or 47-655, and amendments thereto, or any~~  
16 ~~rules or regulations adopted thereunder, of not less than \$100 nor more~~  
17 ~~than \$1,000 per violation. A separate civil penalty may be assessed for~~  
18 ~~each separate violation. Such civil penalty may be assessed in addition to~~  
19 ~~any other penalty provided by law.~~

20 Sec. 1211. K.S.A. 47-1001 is hereby amended to read as follows: 47-  
21 1001. As used in this act, except where the context clearly indicates a  
22 different meaning:

23 (a) "Commissioner" means the livestock animal health commissioner  
24 of the state of Kansas department of agriculture.

25 (b) "Livestock" means and includes cattle, bison, swine, sheep, goats,  
26 horses, mules, domesticated deer, camelids, domestic poultry, domestic  
27 waterfowl, all creatures of the rattle family that are not indigenous to this  
28 state, including, but not limited to, ostriches, emus and rheas, and any  
29 other animal as deemed necessary by the commissioner established  
30 through rules and regulations.

31 (c) "Person" means and includes any individual, partnership,  
32 corporation or association.

33 (d) "Producer" means any person engaged in the business of  
34 breeding, grazing or feeding livestock.

35 (e) "Consignor" means any person who ships or delivers to any public  
36 livestock market livestock for handling, sale or resale at a public livestock  
37 market.

38 (f) "Public livestock market" means any place, establishment or  
39 facility commonly known as a "livestock market," "livestock auction  
40 market," "sales ring," "stockyard," "community sale" as such term is used  
41 in article 10 of chapter 47 of the Kansas Statutes Annotated, and  
42 amendments thereto, which includes any business conducted or operated  
43 for compensation or profit as a public market for livestock, consisting of

Remove section 11 and  
renumber sections accordingly

1 the commissioner may refuse to grant a license, or suspend or revoke a  
2 license, upon a finding of the existence of any of the following facts:

3 ~~(a)~~ (1) That any provision of this act, order or rule and regulation  
4 lawfully promulgated thereunder by the commissioner has been violated  
5 by the licensee;

6 ~~(b)~~ (2) that the licensee has knowingly received on consignment or  
7 sold at a public livestock market any stolen livestock, or mortgaged  
8 livestock without authority of the lawful owner or mortgagee;

9 ~~(c)~~ (3) that the licensee was guilty of fraud or deception in the  
10 procurement of such license;

11 ~~(d)~~ (4) that the licensee has violated the laws of the state, or official  
12 regulations governing the interstate or intrastate movement, shipment or  
13 transportation of any livestock;

14 ~~(e)~~ (5) that the licensee fails to practice measures of sanitation,  
15 disinfection and inspection, as prescribed by law or by the commissioner,  
16 of premises used for yarding, stabling, housing or holding of livestock; or

17 ~~(f)~~ (6) that there has been failure to keep records required by the  
18 commissioner or a refusal on the part of the licensee to produce records of  
19 transactions in the carrying on of the business for which such license is  
20 granted, or that the licensee selling livestock by weight fails or refuses to  
21 have livestock handled by such licensee weighed on scales that are  
22 regularly inspected and tested for accuracy by duly authorized public  
23 authority or authorities;

24 (7) that there has been failure to make timely remittances of fees due  
25 under the act to the commissioner; or

26 (8) ~~that the licensee has engaged in or used any unfair, unjustly,  
27 discriminatory or deceptive practices in connection with receiving,  
28 marketing, buying, selling or a commission basis or otherwise, feeding,  
29 weaning, holding, delivery, shipment, weighing or handling of livestock.~~

30 (b) Notwithstanding the provisions of subsection (a), nothing shall  
31 preclude the commissioner from issuing an emergency order in  
32 accordance with K.S.A. 77-536, and amendments thereto, to suspend the  
33 license of a public livestock market for the following reasons:

34 (1) If the bond or bond equivalent as described in K.S.A. 47-1002,  
35 and amendments thereto, for a livestock market operator expires or is  
36 terminated and no valid replacement bond or bond equivalent has been  
37 filed with the commissioner at the time expiration of such surety occurs;

38 or  
39 (2) if a shortage exists in any of the licensee's custodial accounts  
40 which the commissioner determines to endanger the public welfare.

41 Sec. 15. K.S.A. 2011 Supp. 47-1008 is hereby amended to read as  
42 follows: 47-1008. (a) Livestock shall not be offered for sale or sold at any  
43 licensed public livestock market if such livestock:

that the licensee has failed to properly  
maintain custodial accounts or bonds.

1 (1) Is infected with a disease that permanently renders the livestock  
2 unfit for human consumption;

3 (2) has severe neoplasia;

4 (3) has severe actinomycosis;

5 (4) is unable to rise to its feet by itself; or

6 (5) has an obviously fractured long bone or other fractures or  
7 dislocation of a joint that renders the livestock unable to bear weight on  
8 the affected limb without that limb collapsing.

9 (b) If, in the judgment of an accredited veterinarian, the livestock  
10 consigned and delivered on the premises of any licensed public livestock  
11 market is in any of the conditions described in subsection (a), such  
12 veterinarian shall euthanize humanely the livestock or direct the consignor  
13 to immediately remove the livestock from the premises of the public  
14 livestock market. All expenses incurred for euthanasia and disposal of the  
15 livestock under the provisions of this subsection shall be the responsibility  
16 of the consignor. Collection of expenses shall not be the responsibility of  
17 the consignee.

18 (c) All livestock consigned and delivered on the premises of any  
19 licensed public livestock market, before being offered for sale, shall be  
20 inspected by a veterinarian authorized by the commissioner who shall  
21 visually examine or test, or both, each animal consigned to such market,  
22 for the purpose of determining its condition of health and freedom of  
23 clinical signs of infectious or contagious animal diseases that are  
24 determined to be reportable by the livestock commissioner. Such  
25 regulatory veterinary services shall be contracted for by the livestock  
26 commissioner, who shall select an accredited veterinarian for each public  
27 livestock market. The public livestock market operator, for each public  
28 livestock market, shall submit to the livestock commissioner a list of  
29 accredited veterinarians to be considered for the position of ~~positions.~~

animal health

30 Such veterinarian shall be authorized to make all required examinations  
31 and tests, and to issue certificates of inspection at the public livestock  
32 market where such veterinarian serves. All livestock sold, resold,  
33 exchanged or transferred, or offered for sale or exchange at a livestock  
34 market shall be treated as may be necessary to prevent the spread of  
35 contagious or infectious diseases. A certificate of inspection, on a form to  
36 be approved by the commissioner, shall be issued to the purchaser by the  
37 inspector. For the visual inspection of livestock offered for sale, there shall  
38 be collected by the market operator from the consignor a fee which shall  
39 be determined by negotiation between the market operator and the market  
40 veterinarian but shall not be less than \$.07 per head, except that no fee for  
41 inspection shall be collected unless the inspection actually has been made.  
42 If the charges per head collected on all livestock inspected at a livestock  
43 market on any sales day do not amount to a minimum per diem of \$40 or

1 any amount greater than \$40 negotiated by the operator, the market  
 2 operator shall be required to supply sufficient funds to provide such  
 3 amount. Any amount lesser or greater than the \$40 amount specified, shall  
 4 be determined by negotiation between the market operator and the market  
 5 veterinarian. A copy of any agreement or contract shall be on file with the  
 6 commissioner. Payments for veterinary services rendered under a contract  
 7 as provided in this section shall be paid from the veterinary inspection fee  
 8 fund, and for such services rendered prior to the end of a fiscal year,  
 9 payment may be made within 90 days after the end of the fiscal year.

10 (d) Livestock market operators shall pay amounts received and  
 11 amounts due under this section to the livestock commissioner. The  
 12 commissioner shall remit all such amounts received to the state treasurer in  
 13 accordance with the provisions of K.S.A. 75-4215, and amendments  
 14 thereto. Upon receipt of each such remittance, the state treasurer shall  
 15 deposit the entire amount in the state treasury to the credit of the veterinary  
 16 inspection fee fund. All expenditures from such fund shall be made in  
 17 accordance with appropriation acts upon warrants of the director of  
 18 accounts and reports issued pursuant to vouchers approved by the  
 19 commissioner or by a person or persons designated by such commissioner.

20 (e) The livestock commissioner shall promulgate rules and  
 21 regulations as may be necessary to carry out the purposes of this section,  
 22 including, but not limited to, rules and regulations designating any disease  
 23 as a disease that renders livestock or the carcasses thereof permanently  
 24 unfit for human consumption. The livestock commissioner shall  
 25 promulgate all such rules and regulations in accordance with existing  
 26 antemortem inspection regulations promulgated by the United States  
 27 department of agriculture feed safety and inspection service, as in effect  
 28 on July 1, 1997, requirements in the federal meat inspection act, 21 U.S.C.  
 29 § 601 et seq., and the federal poultry products inspection act, 21 U.S.C. §  
 30 451 et seq., and regulations promulgated thereunder.

31 (f) All livestock sold by a licensed electronic auction, before being  
 32 delivered to an out-of-state buyer, shall have a health certificate issued by  
 33 a licensed, accredited veterinarian. Kansas buyers shall be furnished a  
 34 health certificate upon request.

35 Sec. 16. K.S.A. 47-1010 is hereby amended to read as follows: 47-  
 36 1010. (a) In addition to the penalties provided in subsection (b), any  
 37 person shall be guilty of a misdemeanor and, upon conviction, shall be  
 38 punished by a fine of not less than two hundred dollars (\$200) \$100 or  
 39 more than five hundred dollars (\$500) \$1,000, who commits any of the  
 40 following acts:

- 41 (a) (1) Assumes or attempts to act as a public livestock market
- 42 operator without a license;
- 43 (b) (2) imposes false charges for handling or services in connection

animal health

Strike

1 with livestock handled, sold or offered for sale at a public livestock  
2 market;

3 ~~(e)~~ (3) fails to account promptly, correctly and fully for any livestock  
4 sold or handled by him and properly to make settlements therefor; 1

5 ~~(f)~~ (4) makes false or misleading statements as to market conditions  
6 at any public livestock market conducted or operated by him or if, the  
7 person making such statement or for whom such individual is in the  
8 employment of;

9 ~~(g)~~ (5) makes any false or misleading statements as to the health or  
10 physical condition of the livestock or quantity of livestock shipped or sold;

11  
12 ~~(h) engages in or uses any unfair, unjust, discriminatory or~~  
13 ~~deceptive practices in connection with receiving, marketing, buying,~~  
14 ~~selling on a commission basis or otherwise, feeding, watering, holding,~~  
15 ~~delivering, shipment, weighing or handling livestock; or~~

16 ~~(i)~~ (7) fails to comply in any respect with this act and any and all  
17 lawful rules, regulations and orders of the commissioner issued and  
18 promulgated hereunder.

19 (b) The commissioner, upon finding that a person has violated any  
20 provision of K.S.A. 47-1001 et seq., and amendments thereto, or any rule  
21 or regulation adopted thereunder, after notice and opportunity for a  
22 hearing, are given in accordance with the provisions of the Kansas  
23 administrative procedure act, may impose a civil penalty in an amount not  
24 more than \$5,000 per violation. For the purposes of this section,  
25 violations shall include, but not be limited to, acts recognized in  
26 subsection (a) and acts or omissions which are grounds for administrative  
27 action pursuant to K.S.A. 47-1005, and amendments thereto.

28 (c) In the case of a continuing violation, every day such violation  
29 continues shall be deemed a separate violation for the purposes of  
30 assessing civil penalties therefor. Such civil penalty may be assessed in  
31 addition to any other penalty provided by law. The recipient of a civil  
32 penalty may appeal the order to the district court in the manner provided  
33 by the Kansas judicial review act.

34 (d) Any penalty recovered pursuant to this section shall be remitted to  
35 the state treasurer in accordance with the provisions of K.S.A. 75-4215,  
36 and amendments thereto. Upon receipt of each such remittance, the state  
37 treasurer shall deposit the entire amount in the state treasury to the credit  
38 of the state general fund.

39 Sec. 17. K.S.A. 47-1102 is hereby amended to read as follows: 47-  
40 1102. (a) Every Any person, firm or corporation violating or failing to  
41 comply with any of the provisions of this act shall be deemed guilty of a  
42 misdemeanor, and upon conviction shall be punished by a fine of not more  
43 than five hundred dollars or \$1,000, by imprisonment in the county jail for

(6)



1 not less than ~~sixty~~ 60 days nor more than six months or by both such fine  
2 and imprisonment.

3 Sec. 18. K.S.A. 47-1213 is hereby amended to read as follows: 47-  
4 1213. The commissioner, after providing notice and opportunity for a  
5 hearing in accordance with the Kansas administrative procedure act, shall  
6 have power to suspend or revoke any license or permit issued under this  
7 act for the failure or refusal of any licensee or permit holder to obey and  
8 comply with the provisions of this act and all rules and regulations  
9 authorized and adopted thereunder, except that before any such license or  
10 permit is suspended or revoked the licensee or permit holder shall be  
11 notified of the alleged violations and the time and place of hearing thereon,  
12 as fixed by the commissioner, and a hearing shall be conducted in  
13 accordance with the provisions of the Kansas administrative procedure act.

14 Sec. 19. K.S.A. 47-1217 is hereby amended to read as follows: 47-  
15 1217. (a) The willful violation of any of the provisions of this act, or the  
16 willful failure to comply with any of the provisions of this act, or any of  
17 the rules and regulations adopted thereunder, is hereby made a  
18 misdemeanor, and any person upon conviction thereof shall be punished  
19 by a fine of not less than ~~twenty-five~~ dollars \$25 nor more than ~~five-~~  
20 ~~hundred~~ dollars \$500. It shall be the duty of the attorney general and the  
21 various county attorneys, to file suit in a court of competent jurisdiction to  
22 enjoin any violation of this act or any rule or regulation authorized and  
23 adopted under the provisions of this act.

24 (b) The commissioner, after providing notice and opportunity for a  
25 hearing in accordance with the Kansas administrative procedure act, may  
26 assess a civil penalty against any person who violates or fails to comply  
27 with the requirements of this act, or any rules or regulations adopted  
28 hereunder, of not less than \$100 nor more than \$1,000 per violation. A  
29 separate civil penalty may be assessed for each separate violation. Such  
30 civil penalty may be assessed in addition to any other penalty provided by  
31 law.

32 Sec. 20. K.S.A. 47-1219 is hereby amended to read as follows: 47-  
33 1219. (a) Any person or persons who shall put any dead animals, carcasses  
34 of such animals or domestic fowl, or any part thereof, into any well,  
35 spring, brook, branch, river, creek, pond, road, street, alley, lane, lot, field,  
36 meadow or common shall be deemed guilty of a misdemeanor, and upon  
37 conviction thereof shall be fined in a sum not exceeding \$100 \$500.

38 (b) Any owner or owners of any dead animals, carcasses of such  
39 animals or domestic fowl, or any part thereof, who shall knowingly permit  
40 the same to remain in any well, spring, brook, branch, river, creek, pond,  
41 road, street, alley, lane, lot, field, meadow or common to the injury of the  
42 health or to the annoyance of or damage to the citizens of the state or any  
43 of them, shall be deemed guilty of a misdemeanor, and upon conviction

lane other than the person's own private driveway, lot not owned or leased by such person, field not owned or leased by such person, meadow not owned or leased by such person or commonly-owned or public property to the injury of,

lane other than the person's own private driveway, lot not owned or leased by such person, field not owned or leased by such person, meadow not owned or leased by such person or commonly-owned or public property

1 (d) (1) "Animal" means any live dog, cat, rabbit, rodent, nonhuman  
2 primate, bird or other warm-blooded vertebrate or any fish, snake or other  
3 cold-blooded vertebrate.

4 (2) Animal does not include horses, cattle, sheep, goats, swine,  
5 rattle, domesticated deer or domestic fowl.

6 (e) "Animal breeder" means any person who operates animal breeder  
7 premises.

8 (f) "Animal breeder premises" means any premises where all or part  
9 of six or more litters of dogs or cats, or both, or 30 or more dogs or cats, or  
10 both, are sold, or offered or maintained for sale, primarily at wholesale for  
11 resale to another.

12 (g) "Animal shelter" or "pound" means a facility which is used or  
13 designed for use to house, contain, impound or harbor any seized stray,  
14 homeless, relinquished or abandoned animal or a person who acts as an  
15 animal rescuer, or who collects and cares for unwanted animals or offers  
16 them for adoption. Animal shelter or pound also includes a facility of an  
17 individual or organization, profit or nonprofit, maintaining 20 or more  
18 dogs or cats, or both, for the purpose of collecting, accumulating, amassing  
19 or maintaining the animals or offering the animals for adoption.

20 (h) "Cat" means an animal which is wholly or in part of the species  
21 *Felis domesticus*.

22 (i) "Commissioner" means the livestock animal health commissioner  
23 appointed by of the Kansas animal health board department of agriculture.

24 (j) "Dog" means any animal which is wholly or in part of the species  
25 *Canis familiaris* but does not include any greyhound, as defined by K.S.A.  
26 74-8802 and amendments thereto.

27 (k) "Animal control officer" means any person employed by,  
28 contracted with or appointed by the state, or any political subdivision  
29 thereof, for the purpose of aiding in the enforcement of this law, or any  
30 other law or ordinance relating to the licensing or permitting of animals,  
31 control of animals or seizure and impoundment of animals, and includes  
32 any state, county or municipal law enforcement officer, dog warden,  
33 constable or other employee, whose duties in whole or in part include  
34 assignments which involve the seizure or taking into custody of any  
35 animal.

36 (l) "Euthanasia" means the humane destruction of an animal, which  
37 may be accomplished by any of those methods provided for in K.S.A. 47-  
38 1718, and amendments thereto.

39 (m) "Hobby breeder premises" means any premises where all or part  
40 of 3, 4 or 5 three, four or five litters of dogs or cats, or both, are produced  
41 for sale or sold, offered or maintained for sale per license year. This  
42 provision applies only if the total number of dogs or cats, or both, sold,  
43 offered or maintained for sale is less than 30 individual animals.

an

1 principal or agent, or who holds such distributor's self out to be so  
2 engaged.

3 (bb) "Out-of-state distributor" means any person residing in a state  
4 other than Kansas, who is engaged in the business of buying for resale  
5 dogs or cats, or both, within the state of Kansas, as a principal or agent.

6 (cc) "Food animals" means rodents, rabbits, reptiles, fish or  
7 amphibians that are sold or offered or maintained for sale for the sole  
8 purpose of being consumed as food by other animals.

9 (dd) (†) "Adequate veterinary medical care" means:

10 (AA) (1) A documented program of disease control and prevention,  
11 euthanasia and routine veterinary care shall be established and maintained  
12 under the supervision of a licensed veterinarian, on a form provided by the  
13 commissioner, and shall include a documented on-site visit to the premises  
14 by the veterinarian at least once a year; and

15 (B) (2) that diseased, ill, injured, lame or blind animals shall be  
16 provided with veterinary care as is needed for the health and well-being of  
17 the animal.

18 ~~(2) As used in the Kansas pet animal act, "adequate veterinary~~  
19 ~~medical care" shall not apply to United States department of agriculture~~  
20 ~~licensed animal breeders or animal distributors.~~

21 (ee) "Ratites" means all creatures of the ratite family that ~~are~~ are not  
22 indigenous to this state, including, but not limited to, ostriches, emus and  
23 rheas.

24 (ff) "Retail breeder" means any person who operates a retail breeder  
25 premises.

26 (gg) "Retail breeder premises" means any premises where all or part  
27 of six or more litters or 30 or more dogs or cats, or both, are sold, or  
28 offered or maintained for sale, primarily at retail and not for resale to  
29 another.

30 (hh) "Retail" means any transaction where the animal is sold to the  
31 final consumer.

32 (ii) "Wholesale" means any transaction where the animal is sold for  
33 the purpose of resale to another.

34 Sec. 27. K.S.A. 2011 Supp. 47-1706 is hereby amended to read as  
35 follows: 47-1706. (a) The commissioner may refuse to issue or renew or  
36 may suspend or revoke any license or permit required under K.S.A. 47-  
37 1701 *et seq.*, and amendments thereto, for any one or more of the  
38 following reasons:

39 (1) Material misstatement in the application for the original license or  
40 permit, or in the application for any renewal of a license or permit;

41 (2) willful disregard of any provision of the Kansas pet animal act or  
42 any rule and regulation adopted hereunder, or any willful aiding or  
43 abetting of another in the violation of any provision of the Kansas pet

and such veterinary care shall be  
documented and maintained on the  
premises; and

(3) all documentation required by  
subsections (dd)(1) and (dd)(2) shall be  
made available to the commissioner or the  
commissioner's authorized representative  
for inspection or copying upon request  
and shall be maintained for three years  
after the effective date of the program or  
the administration of such veterinary care.

1 animal act or any rule and regulation adopted hereunder;

2 (3) permitting any license or permit issued hereunder to be used by an  
3 unlicensed or unpermitted person or transferred to unlicensed or  
4 unpermitted premises;

5 (4) the conviction of any crime relating to the theft of animals or a  
6 ~~first conviction of cruelty to animals;~~

7 (5) substantial misrepresentation;

8 (6) misrepresentation or false promise, made through advertising,  
9 salespersons, agents or otherwise, in connection with the operation of  
10 business of the licensee or permittee;

11 (7) fraudulent bill of sale;

12 (8) the housing facility or the primary enclosure is inadequate; or

13 (9) the feeding, watering, sanitizing and housing practices at the  
14 licensee's or permittee's premises are not consistent with the Kansas pet  
15 animal act or the rules and regulations adopted hereunder;

16 (b) The commissioner shall refuse to issue or renew and shall suspend  
17 or revoke any license or permit required under K.S.A. 47-1701 et seq., and  
18 amendments thereto, for the second or subsequent a conviction of cruelty  
19 to animals, K.S.A. 21-4310, prior to its repeal, or subsections (a)(1)  
20 through (a)(5) of K.S.A. 2011 Supp. 21-6412, and amendments thereto.

21 (c) Any refusal to issue or renew a license or permit, and any  
22 suspension or revocation of a license or permit, under this section shall be  
23 issued only after notice and opportunity for a hearing are provided in  
24 accordance with the provisions of the Kansas administrative procedure act  
25 and shall be subject to review in accordance with the Kansas judicial  
26 review act.

27 (d) Notwithstanding subsection (c), nothing shall preclude the  
28 commissioner from issuing a quarantine order in accordance with K.S.A.  
29 77-536, and amendments thereto, on any premises regulated under this act  
30 wherein the animals are found to be infected with a contagious or zoonotic  
31 disease which may infect animals or humans that may come into contact  
32 with or be exposed to such animals.

33 (e) Whenever the commissioner denies, suspends or revokes a  
34 license or permit under this section, the commissioner or the  
35 commissioner's authorized, trained representatives shall seize and impound  
36 any animals in the possession, custody or care of the person whose license  
37 or permit is denied, suspended or revoked if there are reasonable grounds  
38 to believe that the animals' health, safety or welfare is endangered. Except  
39 as provided by K.S.A. 2011 Supp. 21-6412, and amendments thereto, such  
40 animals may be returned to the person owning them if there is satisfactory  
41 evidence that the animals will receive adequate care by that person or such  
42 animals may be sold, placed or euthanized, at the discretion of the  
43 commissioner. Costs of care and services for such animals while seized

Strike

(10) failure to provide adequate veterinary medical care to the animals in such licensee or permittee's custody or care; or  
(11) failure to maintain or provide documentation of the provision of adequate veterinary medical care, as required in K.S.A. 47-1701(dd), and amendments thereto, to animals in such licensee or permittee's custody or care when access to such is requested by the commissioner or the commissioner's authorized representatives.

1 and impounded shall be paid by the person from whom the animals were  
2 seized and impounded, if that person's license or permit is denied,  
3 suspended or revoked. Such funds shall be paid to the commissioner for  
4 reimbursement of care and services provided during seizure and  
5 impoundment. If such person's license or permit is not denied, suspended  
6 or revoked, the commissioner shall pay the costs of care and services  
7 provided during seizure and impoundment.

8 Sec. 28. K.S.A. 2011 Supp. 47-1707 is hereby amended to read as  
9 follows: 47-1707. (a) In addition to or in lieu of any other civil or criminal  
10 penalty provided by law, the commissioner, upon a finding that a person  
11 has violated or failed to comply with any provision of the Kansas pet  
12 animal act or any rule and regulation adopted hereunder, may impose on  
13 such person a civil ~~fine~~ penalty not exceeding \$1,000 for each violation or  
14 requirement ~~require such person~~ to attend an educational course regarding  
15 animals and their care and treatment. If the commissioner imposes the  
16 educational course, such person may choose either the ~~fine~~ or the penalty  
17 educational course. If such person chooses the ~~fine~~ the commissioner shall  
18 establish the amount pursuant to the ~~fine~~ provisions of this section. The  
19 educational course shall be administered by the commissioner in  
20 consultation with Kansas state university college of veterinary medicine.

21 (b) Any imposition of a civil ~~fine~~ penalty pursuant to this section  
22 shall be only upon notice and ~~opportunity for a hearing~~ established in  
23 accordance with the Kansas administrative procedure act and shall be  
24 subject to review in accordance with the Kansas judicial review act.

25 (c) Whenever the commissioner has reasonable grounds to believe  
26 that a person or premises required to be licensed or permitted under the  
27 Kansas pet animal act has failed to comply with or has violated any  
28 provision of the Kansas pet animal act or any rule and regulation adopted  
29 hereunder and that the health, safety or welfare of animals in such person's  
30 possession, custody or care is endangered thereby, the commissioner shall  
31 seize and impound such animals using emergency adjudicative  
32 proceedings in accordance with the Kansas administrative procedure act.  
33 Except as provided by K.S.A. 2011 Supp. 21-6412, and amendments  
34 thereto, such animals may be returned to the person owning them if there  
35 is satisfactory evidence that the animals will receive adequate care by that  
36 person or such animals may be sold, placed or euthanized, at the discretion  
37 of the commissioner. Costs of care and services for such animals while  
38 seized and impounded shall be paid by the person from whom the animals  
39 were seized and impounded, if that person is found to be in violation of the  
40 Kansas pet animal act or any rules and regulations adopted hereunder.  
41 Such funds shall be paid to the commissioner for reimbursement of care  
42 and services provided during seizure and impoundment. If such person is  
43 not found to be in violation of the Kansas pet animal act or any rules and

1 (d) Any complaint filed with the commissioner shall be confidential  
2 and shall not be released to any person other than employees of the  
3 commissioner as necessary to carry out the duties of their employment.

4 (e) Any person making inspections under this section shall be trained  
5 by the commissioner in reasonable standards of animal care.

6 (f) The commissioner may request a licensed veterinarian to assist in  
7 any inspection or investigation made by the commissioner or the  
8 commissioner's authorized representative under this section.

9 (g) Any person acting as the commissioner's authorized  
10 representative for purposes of making inspections and conducting  
11 investigations under this section who knowingly falsifies the results or  
12 findings of any inspection or investigation or who intentionally fails or  
13 refuses to make an inspection or conduct an investigation pursuant to this  
14 section shall be guilty of a class A nonperson misdemeanor.

15 (h) No person shall act as the commissioner's authorized  
16 representative for the purposes of making inspections and conducting  
17 investigations under this section if such person has a beneficial interest in  
18 a person required to be licensed or permitted pursuant to K.S.A. 47-1701  
19 *et seq.* and amendments thereto.

20 (i) Records of inspections pursuant to this section shall be maintained  
21 in the office of the Kansas ~~animal health department~~. Records of a  
22 deficiency or violation shall not be maintained for longer than three years  
23 after the deficiency or violation is remedied.

24 (j) The commissioner shall, in consultation with Kansas state  
25 university college of veterinary medicine, shall: (1) Continue procedures  
26 to provide for pet animal training or updated training for authorized trained  
27 representatives who inspect premises under the pet animal act and to allow  
28 the owners of such facilities licensed or permitted under the pet animal act  
29 to attend and participate at the training workshops for the authorized  
30 trained representatives; and (2) make available to such owners and other  
31 interested persons an inspection handbook describing the duties and  
32 responsibilities of such authorized trained representatives.

33 (k) If the commissioner or the commissioner's authorized  
34 representative is denied access to any location where such access is  
35 sought for the purposes authorized under the Kansas pet animal act, the  
36 commissioner may apply to any court of competent jurisdiction for an  
37 administrative search warrant authorizing access to such location for such  
38 purposes. Upon such application and a showing of cause therefore, the  
39 court shall issue the search warrant for the purposes requested.

40 Sec. 31. K.S.A. 47-1710 is hereby amended to read as follows: 47-  
41 1710. (a) An animal shall not be disposed of by an owner or operator of a  
42 pound or of an animal shelter as a pound until after expiration of a  
43 minimum of three full business days of custody during which the public

department of agriculture division of animal health

1 has clear access to inspect and recover the animal through time periods  
2 ordinarily accepted as usual business hours. During such time of custody,  
3 any owner or operator of such facility shall attempt to notify the owner or  
4 custodian of any animal maintained or impounded by such facility if such  
5 owner or custodian is known or reasonably ascertainable. Such an animal  
6 may at any time be released to the legal owner, moved to a veterinary  
7 hospital for treatment or observation, released in any manner, if such  
8 animal was a gift animal to an animal shelter, or euthanized by a duly  
9 incorporated humane society or by a licensed veterinarian if it appears to  
10 an officer of such humane society or to such veterinarian that the animal is  
11 diseased or disabled beyond recovery for any useful purpose.

12 (b) After the expiration of the holding period established in  
13 subsection (a), the governing body of a political subdivision regulating the  
14 operation of a pound shall have ownership of such animal and shall  
15 determine the method of disposition of any animal. Any pound releasing  
16 live animals to prospective owners shall comply with the provisions  
17 established in K.S.A. 47-1731, and amendments thereto. Any *such*  
18 proceeds derived from the sale or other disposition of such animals shall  
19 be paid directly to the treasurer of the political subdivision, and no part of  
20 such proceeds shall accrue to any individual.

21 (c) After the expiration of the holding period established in  
22 subsection (a), the board of directors of any humane society operating an  
23 animal shelter as a pound, shall have ownership of such animal and shall  
24 determine the method of disposition of any animal. Any animal shelter  
25 releasing live animals to prospective owners shall comply with the  
26 provisions established in K.S.A. 47-1731, and amendments thereto. Any  
27 *such* proceeds derived from such sale or disposition shall be paid directly  
28 to the treasurer of the humane society and no part of such proceeds shall  
29 accrue to any individual.

30 Sec. 32. K.S.A. 47-1711 is hereby amended to read as follows: 47-  
31 1711. An animal control officer shall not be granted an animal distributor's,  
32 retail breeder's, hobby breeder's or a pet shop operator's license. Each  
33 application for any such license shall include a statement that neither the  
34 applicant nor any of the applicant's employees is an animal control officer.  
35 An animal control officer, upon taking custody of any animal in the course  
36 of such officer's official duties, shall immediately make a record which  
37 shall include the color, breed, sex, approximate weight and other  
38 description of the animal, the reason for seizure, the location of seizure,  
39 the owner's name and address, if known, the animal license number, and  
40 any other identification number. Complete information relating to the  
41 disposition of the animal shall be shown on the record; ~~this and~~ shall be  
42 added immediately following the disposition of the animal. *Such records*  
43 *shall be made available to the commissioner or the commissioner's*

animal breeder's,

1 *authorized representative upon request.*

2 Sec. 33. K.S.A. 47-1712 is hereby amended to read as follows: 47-  
3 1712. (a) The commissioner is hereby authorized to adopt rules and  
4 regulations for licensees and permittees. Such rules and regulations shall  
5 include, but not be limited to, provisions relating to: (1) Reasonable  
6 treatment of animals in the possession, custody or care of a licensee or  
7 permittee or being transported to or from licensed or permitted premises;  
8 (2) a requirement that each licensee and permittee file with the  
9 commissioner evidence that animals entering or leaving the state are free  
10 from any visible symptoms of communicable disease; (3) identification of  
11 animals handled; (4) primary enclosures; (5) housing facilities; (6)  
12 sanitation; (7) euthanasia; (8) ambient temperatures; (9) feeding; (10)  
13 watering; (11) adequate veterinary medical care; (12) inspections of  
14 licensed or permitted premises, investigations of complaints and training  
15 of persons conducting such inspections and investigations; and (13) a  
16 requirement that each licensee or permittee keep and maintain, for  
17 inspection by the commission, such records as necessary to administer and  
18 enforce the provisions of the Kansas pet animal act.

19 (b) The commissioner shall only adopt as rules and regulations for  
20 United States department of agriculture licensed animal distributors and  
21 animal breeders, and animal distributor and animal breeder premises the  
22 rules and regulations promulgated by the secretary of the United States  
23 department of agriculture, cited at 9 C.F.R. §§ 3.1 through 3.12, pursuant  
24 to the provisions of the United States public law 91-579 (7 U.S.C. § 2131  
25 *et seq.*), commonly known as the animal welfare act.

26 ~~(e) Notwithstanding any provision in subsection (b), the~~  
27 ~~commissioner may adopt a requirement that each licensee and permittee~~  
28 ~~file with the commissioner evidence that animals entering or leaving the~~  
29 ~~state are free from any visible symptoms of communicable disease.~~

30 Sec. 34. K.S.A. 47-1723 is hereby amended to read as follows: 47-  
31 1723. (a) It shall be unlawful for any person, except a licensed  
32 veterinarian, to act as or be a *boarding or training* kennel operator unless  
33 such person has obtained from the commissioner a *boarding or training*  
34 kennel operator license for each premises operated by such person.  
35 Application for such license shall be made in writing on a form provided  
36 by the commissioner. The license period shall be for the license year  
37 ending on June 30 following the issuance date.

38 (b) This section shall be part of and supplemental to K.S.A. 47-1701  
39 *et seq.*, and amendments thereto.

40 Sec. 35. K.S.A. 47-1725 is hereby amended to read as follows: 47-  
41 1725. (a) There is hereby created the Kansas pet animal advisory board,  
42 consisting of 10 members. Members shall be appointed by the governor as  
43 follows:

Keep subsection (c), don't strike



1 (1) One member shall be a representative of a licensed animal shelter  
2 or pound;

3 (2) one member shall be an employee of a licensed research facility;  
4 (3) one member shall be a licensed animal breeder;

5 (4) one member shall be a licensed retail breeder;  
6 (5) one member shall be a licensed pet shop operator;

7 (6) one member shall be a licensed veterinarian and shall be selected  
8 from a list of three names presented to the governor by the Kansas  
9 veterinary medical association;

10 (7) one member shall be a private citizen with no link to the industry;  
11 (8) one member shall be a licensed animal distributor;

12 (9) one member shall be a licensed hobby breeder; and  
13 (10) one member shall be a licensed *boarding or training* kennel  
14 operator.

15 (b) ~~Of the members first appointed to the board, the governor shall~~  
16 ~~designate three whose terms shall expire June 30, 1992; three whose terms~~  
17 ~~shall expire June 30, 1993; and three whose terms shall expire June 30,~~  
18 ~~1994. After the expiration of such terms, Each member shall be appointed~~  
19 ~~for a term of three years and until a successor is appointed and qualified.~~

20 (c) A vacancy on the board of a member shall be filled for the  
21 unexpired term by appointment by the governor.

22 (d) The board shall meet at least once every calendar quarter  
23 regularly or at such other times as the chairperson or a majority of the  
24 board members determine. A majority of the members shall constitute a  
25 quorum for conducting board business.

26 (e) The members of the board shall annually elect a chairperson.

27 (f) The board shall have the following duties, authorities and powers:

28 (1) To advise the Kansas livestock Commissioner on hiring a director  
29 to implement the Kansas pet animal act;

30 (2) to review the status of the Kansas pet animal act;

31 (3) to make recommendations on changes to the Kansas pet animal  
32 act; and

33 (4) to make recommendations concerning the rules and regulations  
34 for the Kansas pet animal act.

35 (g) Board members who are required to be licensed except retail  
36 breeders shall be affiliated with or a member of an organized pet animal  
37 association which is representative of the position such person will hold on  
38 the board.

39 ~~(h) Upon the effective date of this act, the governor shall appoint a~~  
40 ~~licensed kennel operator. When the current board members' terms expire,~~  
41 ~~the governor shall appoint persons or representatives in accordance with~~  
42 ~~this section.~~  
43 Sec. 36. K.S.A. 47-1727 is hereby amended to read as follows: 47-

animal health

1 (b) No person shall import, transport or possess live feral swine in  
2 this state.

3 (c) No person shall intentionally or knowingly release any hog, boar,  
4 pig or swine to live in a wild or feral state upon public or private land.

5 (d) No person shall engage in, sponsor, or assist in the operation of a  
6 contained hunting preserve of swine, whether such swine are feral or  
7 otherwise, within this state. For the purposes of this subsection, any tract  
8 of land on which a fence or other apparatus is used to prevent the free  
9 roaming of swine which are to be hunted and not used solely for domestic  
10 swine production shall be deemed to be a contained hunting preserve.

11 (e) No person shall engage in, sponsor, instigate, assist or profit  
12 from the release, killing, wounding or attempted killing or wounding of  
13 feral swine for the purpose of sport, pleasure, amusement or production of  
14 a trophy.

15 (f) Violation of subsection (b) or (d) may result in a civil  
16 penalty in the amount of not less than \$1,000 nor more than \$5,000 for  
17 each such violation. In the case of a continuing violation, every day such  
18 violation continues shall be deemed a separate violation.

19 (g) Violation of subsection (e) may result in a civil penalty of  
20 not less than \$250 nor more than \$2,500 for each such violation.

21 (h) Any duly authorized agent of the livestock animal health  
22 commissioner, upon a finding that any person, or agent or employee  
23 thereof, has violated any of the provisions stated above, may impose a  
24 civil penalty upon such person as provided in this section.

25 (i) No civil penalty shall be imposed pursuant to this section  
26 except upon the written order of the duly authorized agent of the livestock  
27 animal health commissioner to the person who committed the violation.

28 Such order shall state the violation, the penalty to be imposed and the right  
29 of the person to appeal to the commissioner to request a hearing in the  
30 matter. Any such person, within 20 days after notification, may make  
31 written request to the commissioner for a hearing in accordance with the  
32 provisions of the Kansas administrative procedure act. The commissioner  
33 shall affirm, reverse or modify the order and shall specify the reasons  
34 therefor.

35 (j) Any person aggrieved by an order of the commissioner made  
36 under this section may appeal such order to the district court in the manner  
37 provided by the Kansas judicial review act.

38 (k) Any civil penalty recovered pursuant to the provisions of this  
39 section shall be remitted to the state treasurer in accordance with the  
40 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of  
41 each such remittance, the state treasurer shall deposit the entire amount in  
42 the state treasury to the credit of the state general fund.

43 (l) The livestock animal health commissioner of the Kansas

Strike extra "to"

1 partnership, two or more persons having a joint or common interest or  
2 other legal entity.

3 (h) "Possession" means actual care, custody, control or management.

4 (i) "Research facility" means any place, laboratory, institution,  
5 medical care facility, elementary school, secondary school, college or  
6 university, at which any scientific test, experiment or investigation  
7 involving the use of any living animal or field crop product is carried out,  
8 conducted or attempted.

9 Sec. 42. K.S.A. 47-2306 is hereby amended to read as follows: 47-  
10 2306. Any person who shall violate any of the provisions of ~~this act~~ *article*  
11 *23 of chapter 47 of the Kansas Statutes Annotated, and amendments*  
12 *thereto*, shall be deemed guilty of a misdemeanor, and upon conviction  
13 shall be punished by a fine of not less than \$25 \$100 nor more than \$500  
14 \$1,000 or by imprisonment in the county jail for not less than 30 nor more  
15 than 90 days, or by both such fine and imprisonment.

16 Sec. 43. K.S.A. 47-120, 47-121, 47-122, 47-237, 47-238, 47-419, 47-  
17 422, 47-424, 47-619, 47-621, 47-621, 47-636, 47-637, 47-638, 47-639, 47-641, 47-  
18 642, 47-643, 47-644, 47-647, 47-648, 47-649, 47-650, 47-651, 47-652, 47-  
19 653, 47-653d, 47-653e, 47-653f, 47-653g, 47-653h, 47-656, 47-666, 47-  
20 667, 47-668, 47-669, 47-670, 47-671, 47-921, 47-922, 47-923, 47-1001,  
21 47-1002, 47-1005, 47-1005b, 47-1010, 47-1102, 47-1213, 47-1217, 47-  
22 1219, 47-1301, 47-1305, 47-1306, 47-1509, 47-1701, 47-1710, 47-1711,  
23 47-1712, 47-1723, 47-1725, 47-1727, 47-1801, 47-1804, 47-1807 and 47-  
24 2306 and K.S.A. 2011 Supp. 47-672, 47-1008, 47-1302, 47-1307, 47-  
25 1706, 47-1707, 47-1708, 47-1709, 47-1809 and 47-1826 are hereby  
26 repealed.

27 Sec. 44. This act shall take effect and be in force from and after its  
28 publication in the statute book.

47-654, 47-655,