

SESSION OF 2022

SUPPLEMENTAL NOTE ON SENATE BILL NO. 345

As Amended by Senate Committee on
Agriculture and Natural Resources

Brief*

SB 345, as amended, would authorize the Animal Health Commissioner (Commissioner) to impose a civil penalty and deem a violator guilty of a class C nonperson misdemeanor for intentional and knowing violations of the requirement to have a certificate of veterinarian inspection (CVI) when transporting animals into the state.

The bill would establish that a person found in violation of the requirement would be fined between \$100 to \$1,000 for each shipment of animals into the state, which would be remitted to the State Treasurer and deposited into the State General Fund.

The bill would authorize the Commissioner to require that any records related to the animals and suspected transportation of the animals into the state in the possession of any person to be submitted to the Commissioner for review within a reasonable time; failure to cooperate with a request would be considered a violation of this act.

Background

The bill was introduced by the Senate Committee on Agriculture and Natural Resources at the request of a representative of the Kansas Department of Agriculture (KDA).

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Senate Committee on Agriculture and Natural Resources

In the Senate Committee hearing, **proponent** testimony was provided by the Assistant Animal Health Commissioner of the KDA, who stated the bill would provide authority to issue civil penalties for bringing livestock into the state without a CVI indicating the animals are healthy and would allow the Commissioner to properly fulfill their duties to protect the livestock of Kansas from the spread of contagious, infectious, and communicable disease.

Additional proponent testimony was provided by a representative of the Kansas Farm Bureau. The representative stated the bill would provide KDA with the tools necessary to encourage compliance and expressed that the monitoring and tracking of animal disease is important for the health, safety, and economic well-being of the Kansas livestock industry.

Neutral testimony was provided by a representative of the Kansas Livestock Association.

No **opponent** testimony was provided.

The Senate Committee amended the bill to:

- Clarify that violations must be done intentionally or knowingly;
- Change the penalty for a violation from a class A nonperson misdemeanor to a class C nonperson misdemeanor;
- Clarify civil penalties would be incurred for each shipment into the state; and
- Allow the Commissioner to require submission of any records related to the animals and suspected transportation of the animals into the state.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the KDA indicates enactment of the bill would have no fiscal effect on the agency. According to the Office of Judicial Administration, the bill would have no fiscal effect on the Judiciary. Enactment of the bill could result in the collection of civil penalties which would be credited to the State General Fund. Any fiscal effect associated with the bill is not reflected in *The FY 2023 Governor's Budget Report*.

Kansas Department of Agriculture; livestock; Animal Health Commissioner; civil penalties