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Proposed Amendments for SB 47  
Senate Committee on Agriculture  
and Natural Resources  
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Office of Revisor of Statutes  
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Senator Francisco

1 denied, suspended or revoked if there are reasonable grounds to believe  
2 that the animals' health, safety or welfare is endangered. Except as  
3 provided by K.S.A. 2016 Supp. 21-6412, and amendments thereto, such  
4 animals may be returned to the person owning them if there is satisfactory  
5 evidence that the animals will receive adequate care by that person or such  
6 animals may be sold, placed or euthanized, at the discretion of the  
7 commissioner. Costs of care and services for such animals while seized  
8 and impounded shall be paid by the person from whom the animals were  
9 seized and impounded, if that person's license or permit is denied,  
10 suspended or revoked. Such funds shall be paid to the commissioner for  
11 reimbursement of care and services provided during seizure and  
12 impoundment. If such person's license or permit is not denied, suspended  
13 or revoked, the commissioner shall pay the costs of care and services  
14 provided during seizure and impoundment.

15 Sec. 8. K.S.A. 2016 Supp. 47-1709 is hereby amended to read as  
16 follows: 47-1709. (a) The commissioner or the commissioner's authorized,  
17 trained representatives shall make an inspection of the premises for which  
18 an application for an original license or permit is made under K.S.A. 47-  
19 1701 et seq. and amendments thereto, before issuance of such license or  
20 permit. No license or permit shall be issued by the commissioner to an  
21 applicant described in this subsection until the premises for which  
22 application is made has passed a licensing or permitting inspection. The  
23 application for a license shall conclusively be deemed to be the consent of  
24 the applicant to the right of entry and inspection of the premises sought to  
25 be licensed or permitted by the commissioner or the commissioner's  
26 authorized, trained representatives at reasonable times with the owner or  
27 owner's representative present. Refusal of such entry and inspection shall  
28 be grounds for denial of the license or permit. Notice need not be given to  
29 any person prior to ~~inspection~~

30 (b) The commissioner or the commissioner's authorized, trained  
31 representatives ~~may~~ shall inspect each premises for which a license or  
32 permit has been issued under K.S.A. 47-1701 et seq., and amendments  
33 thereof ~~based upon an inspection frequency schedule adopted by~~ ~~rules~~  
34 ~~and regulations. Such frequency schedule may take into account the~~  
35 ~~performance history of a premises or the relative risk posed by such~~  
36 ~~premises to the health, safety, and welfare of the animals.~~ The acceptance  
37 of a license or permit shall conclusively be deemed to be the consent of the  
38 licensee or permittee to the right of entry and inspection of the licensed or  
39 permitted premises by the commissioner or the commissioner's authorized,  
40 trained representatives at reasonable times with the owner or owner's  
41 representative present. Refusal of such entry and inspection shall be  
42 grounds for suspension or revocation of the license or permit. Notice ~~need~~  
43 not be given to any person prior to inspection.

an inspection made for an application for an original license.

and will result in a fee of \$80. Inspections will be based upon the following frequency:

- (1) Each licensee or permittee who has failed an inspection will be inspected on a six-month basis for a period of two years;
- (2) each licensee or permittee who has not failed inspection in two years will have an inspection conducted annually for two years; and
- (3) each licensee or permittee who has not failed an inspection in a three-year period will have an inspection conducted on an 18 to 24 month cycle.

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