

Session of 2022

SENATE BILL No. 345

By Committee on Agriculture and Natural Resources

1-14

1 AN ACT concerning animals; relating to transporting animals into the
2 state; authorizing the animal health commissioner to assess a civil
3 penalty for violations relating thereto; amending K.S.A. 47-607c and
4 repealing the existing section.

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

7 Section 1. K.S.A. 47-607c is hereby amended to read as follows: 47-
8 607c. (a) Any person ~~or persons violating or failing who~~ *violates or fails to*
9 comply with the provisions of this act shall be deemed guilty of a class A
10 ~~nonperson~~ misdemeanor, ~~and upon conviction thereof shall be punished by~~
11 ~~a fine of not less than one hundred dollars (\$100) nor more than one~~
12 ~~thousand dollars (\$1,000), or by imprisonment in the county jail not less~~
13 ~~than thirty (30) days nor more than one (1) year, or by both such fine and~~
14 ~~imprisonment.~~

intentionally or knowingly
intentionally or knowingly
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15 (b) *In addition to any other penalty provided by law, any person who*
16 *violates K.S.A. 47-607, and amendments thereto, the special permit*
17 *requirements of K.S.A. 47-607a, and amendments thereto, or rules and*
18 *regulations promulgated pursuant to K.S.A. 47-607d, and amendments*
19 *thereto, may incur a civil penalty in an amount not less than \$100 nor*
20 *more than \$1,000 for each* such violation. ~~*In the case of a continuing*~~
21 ~~*violation, every day such violation continues may be deemed a separate*~~
22 ~~*violation.*~~

shipment into the state

23 (c) *No civil penalty shall be imposed pursuant to this section except*
24 *upon the written order of the duly authorized agent of the animal health*
25 *commissioner to the person who committed the violation. Such order shall*
26 *state the violation, the civil penalty to be imposed and the right of the*
27 *person to appeal to the commissioner. Within 20 days of such notification,*
28 *any such person may make written request to the commissioner for a*
29 *hearing in accordance with the Kansas administrative procedure act.*

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

(e) The animal health commissioner may require that any records related to the animals and suspected transportation of such animals into the state in violation of K.S.A. 47-607, and amendments thereto, the special permit requirements of K.S.A. 47-607a, and amendments thereto, or rules and regulations promulgated pursuant to K.S.A. 47-607d, and amendments thereto, in the possession of any person, be submitted to the commissioner for review within a reasonable time. Failure to cooperate with any such request shall be considered a violation of this act.

35 Sec. 2. K.S.A. 47-607c is hereby repealed.

36 Sec. 3. This act shall take effect and be in force from and after its

- 1 publication in the statute book.