

[As Amended by Senate Committee of the Whole]

As Further Amended by Senate Committee

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Session of 2003

SENATE BILL No. 257

By Committee on Ways and Means

3-10

14 AN ACT concerning the Kansas animal health department; relating to
15 pet animal act fees; amending K.S.A. ~~2002~~ **2003** Supp. 47-1721 and
16 repealing the existing section.

17
18 *Be it enacted by the Legislature of the State of Kansas:*

19 Section 1. K.S.A. ~~2002~~ **2003** Supp. 47-1721 is hereby amended to
20 read as follows: 47-1721. (a) Each application for issuance or renewal of
21 a license or permit required under K.S.A. 47-1701 *et seq.*, and amend-
22 ments thereto, shall be accompanied by the fee prescribed by the com-
23 missioner under this section. Such fees shall be as follows:

24 (1) Except as provided in paragraph ~~(5)~~ **[(3) or (4)]**, for a license for
25 premises of a person, ***an animal breeder, retail breeder[, distributor]***
26 ***or research facility also*** licensed under public law 91-579 (7 U.S.C. §
27 2131 *et seq.*), an amount not to exceed ~~\$150~~ ~~\$225~~ **\$188**.

28 ~~(2) For a license for the premises of a distributor, an amount~~
29 ~~not to exceed \$500.~~

30 ~~(2)~~ ~~(3)~~ **[(2)]** Except as provided in paragraph ~~(5)~~ **[(3) or (4)]**, for a
31 license for any other premises, ***a retail breeder or[,] pet shop***, an
32 amount not to exceed ~~\$300~~ ~~\$450~~ ~~\$350~~ **[\$375]**.

33 ~~(3)~~ ~~(4)~~ **[(3)]** For a temporary closing permit, an amount not to exceed
34 ~~\$75~~ ~~\$112.50~~ **\$94**.

35 ~~(4)~~ ~~(5)~~ **[(4)]** For an out-of-state distributor permit, an amount not to
36 exceed ~~\$500~~ ~~\$750~~ **[\$625]**.

37 ~~(5)~~ ~~(6)~~ **[(5)]** For a hobby breeder license or a kennel operator license
38 an amount not to exceed ~~\$75~~ ~~\$112.50~~ **\$94**.

39 ~~(6)~~ ~~(7)~~ **[(6)]** A late fee of ~~\$50~~ ~~\$63~~ shall be assessed to any person
40 whose permit or license renewal is more than 45 days' late.

41 ~~(8) In addition to the fees prescribed by this section, upon ap-~~
42 ~~plication for a license, each animal breeder, retail breeder or hobby~~
43 ~~breeder shall conduct a full inventory of their premises and pay a~~

1 ~~fee of \$1.00 for each dog and cat housed on the premise.~~

2 (b) The commissioner shall determine annually the amount necessary
3 to carry out and enforce K.S.A. 47-1701 *et seq.*, and amendments thereto,
4 for the next ensuing fiscal year and shall fix by rules and regulations the
5 license and permit fees for such year at the amount necessary for that
6 purpose, subject to the limitations of this section. In fixing such fees, the
7 commissioner may establish categories of licenses and permits, based
8 upon the type of license or permit, size of the licensed or permitted
9 business or activity and the premises where such business or activity is
10 conducted, and may establish different fees for each such category. The
11 fees in effect immediately prior to the effective date of this act shall
12 continue in effect until different fees are fixed by the commissioner as
13 provided by this subsection.

14 (c) If a licensee, permittee or applicant for a license or permit re-
15 quests an inspection of the premises of such licensee, permittee or ap-
16 plicant, the commissioner shall assess the costs of such inspection, as
17 established by rules and regulations of the commissioner, to such licensee,
18 permittee or applicant.

19 (d) No fee or assessment required pursuant to this section shall be
20 refundable.

21 (e) The commissioner shall remit all moneys received by or for the
22 commissioner under this section to the state treasurer in accordance with
23 the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt
24 of each such remittance, the state treasurer shall deposit the entire
25 amount in the state treasury to the credit of the animal dealers fee fund,
26 which is hereby created in the state treasury. Moneys in the animal deal-
27 ers fee fund may be expended only to administer and enforce K.S.A. 47-
28 1701 *et seq.*, and amendments thereto. All expenditures from the animal
29 dealers fee fund shall be made in accordance with appropriation acts upon
30 warrants of the director of accounts and reports issued pursuant to vouch-
31 ers approved by the Kansas livestock commissioner or the commissioner's
32 designee.

33 (f) Premises required to be licensed under the Kansas pet animal act
34 shall not be required to pay for more than one license. If more than one
35 operation is ongoing at the premises, each operation shall comply with
36 the applicable statutes and rules and regulations pertaining to such
37 operation.

38 (g) Except as provided further, when a premises required to be li-
39 censed or permitted under the Kansas pet animal act applies for an initial
40 license or permit, the commissioner shall prorate to the nearest whole
41 month the license or permit fee established in subsection (a). The com-
42 missioner shall have discretion to determine whether the application is
43 an initial application or an application for a premises which has been doing

1 business but is not licensed or permitted. If the commissioner determines
2 the premises has been doing business without a license or permit, the
3 commissioner is not required to prorate the fee.

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

6 Sec. 2. K.S.A. ~~2002~~ **2003** Supp. 47-1721 is hereby repealed.

7 Sec. 3. This act shall take effect and be in force from and after its
8 publication in the Kansas register.