

Substitute for HOUSE BILL No. 2594

By Committee on Judiciary

2-25

9 AN ACT concerning agriculture; relating to duty of care of livestock
10 producers.

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

13 Section 1. (a) As used in this section, for livestock prepared in Kansas
14 in accordance with K.S.A. 65-6a18 *et seq.*, and amendments thereto: (1)
15 “Producer” means any person engaged in the business of breeding, graz-
16 ing, maintenance or feeding of livestock.

17 (2) “Livestock”, “meat food product” and “prepared” shall have the
18 meanings ascribed thereto by K.S.A. 65-6a18 *et seq.*, and amendments
19 thereto.

20 (b) In an action arising as a result of consumption of a meat food
21 product against a producer of livestock, there shall be a rebuttable pre-
22 sumption that the producer of livestock met the standard of ordinary care
23 in the production of the livestock in question, if the livestock in question
24 was inspected and passed in accordance with the provisions of K.S.A. 65-
25 6a18 *et seq.*, and amendments thereto.

26 (c) In no event shall a producer of livestock in an action arising as a
27 result of consumption of a meat food product be held to a standard higher
28 than that of ordinary care if the livestock in question had been inspected
29 and passed in accordance with the provisions of K.S.A. 65-6a18 *et seq.*,
30 and amendments thereto.

31 Sec. 2. (a) As used in this section, for livestock prepared in Kansas
32 in accordance with the federal meat inspection act, 21 U.S.C.A. 601 *et*
33 *seq.*: (1) “Producer” means any person engaged in the business of breed-
34 ing, grazing, maintenance or feeding of livestock.

35 (2) “Livestock” means cattle, sheep, swine, goats, horses, mules or
36 other equines.

37 (3) “Meat food product” and “prepared” shall have the meanings
38 ascribed thereto by 21 U.S.C.A. 601(j) *et seq.*

39 (b) In an action arising as a result of consumption of a meat food
40 product against a producer of livestock there shall be a rebuttable pre-
41 sumption that the producer of livestock met the standard of ordinary care
42 in the production of the livestock in question, if the livestock in question
43 was inspected and passed in accordance with the provisions of 21 U.S.C.A.

1 601 *et seq.*

2 (c) In no event shall a producer of livestock in an action arising as a
3 result of consumption of a meat food product be held to a standard higher
4 than that of ordinary care if the livestock had been inspected and passed
5 in accordance with the provisions of 21 U.S.C.A. 601 *et seq.*

6 Sec. 3. This act shall take effect and be in force from and after its
7 publication in the statute book.