

**APPROVED REGULATION OF
THE STATE DEPARTMENT OF AGRICULTURE**

LCB File No. R101-20

Filed December 22, 2021

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: § 1, NRS 561.153, 564.025, 564.030, 564.040, as amended by section 1 of Senate Bill No. 454, chapter 311, Statutes of Nevada 2021, at page 1832, NRS 564.080, as amended by section 1.5 of Senate Bill No. 454, chapter 311, Statutes of Nevada 2021, at page 1832, NRS 564.110 and 564.120, as amended by section 2 of Senate Bill No. 454, chapter 311, Statutes of Nevada 2021, at page 1832.

A REGULATION relating to animals; revising certain fees relating to the branding of animals; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law: (1) establishes a \$200 fee for the recording and rerecording of a brand, or brand and mark, or marks; and (2) authorizes the State Department of Agriculture to establish various other fees related to brands, brands and marks, or marks. (NRS 561.153, 564.040, as amended by section 1 of Senate Bill No. 454, chapter 311, Statutes of Nevada 2021, at page 1832, NRS 564.080, as amended by section 1.5 of Senate Bill No. 454, chapter 311, Statutes of Nevada 2021, at page 1832, and NRS 564.120, as amended by section 2 of Senate Bill No. 454, chapter 311, Statutes of Nevada 2021, at page 1832)

Existing regulations establish fees for: (1) recording the temporary use of a brand; (2) recording and rerecording a brand, or a brand and mark, or marks; (3) recording an instrument transferring the ownership of a recorded brand, or brand and mark, or marks; and (4) processing and continuing administration of a security agreement, provisional assignment or legal lien relating to a brand, or brand and mark, or marks of record. (NAC 564.010) This regulation revises those fees.

Section 1. NAC 564.010 is hereby amended to read as follows:

564.010 1. ~~{The fee for recording}~~ *To record* the temporary use of a brand pursuant to subsection 3 of NRS 564.025 ~~{is \$30.}~~, *the owner of animals must pay:*

(a) A nonrefundable application fee of \$35; and

(b) A recording fee of \$50 for the period designated by the Department.

2. ~~The fee for recording~~ *To record* a brand, or brand and mark, or marks pursuant to NRS 564.040 ~~for rerecording a brand, or brand and mark, or marks pursuant to NRS 564.120 is \$120~~, *as amended by section 1 of Senate Bill No. 454, chapter 311, Statutes of Nevada 2021, at page 1832, the owner must pay:*

(a) A nonrefundable application fee of \$35; and

(b) A recording fee of \$200 for each ~~4-year~~ period ~~for which the brand, or brand and mark, or marks are recorded.~~ The recording fee must not be prorated for any unused portion of the period for which the brand, or brand and mark, or marks are recorded. ~~for rerecorded.~~

3. ~~The fee for recording~~ *Except as otherwise provided in subsection 4, to rerecord a brand, or brand and mark, or marks pursuant to NRS 564.120, as amended by section 2 of Senate Bill No. 454, chapter 311, Statutes of Nevada 2021, at page 1832, the owner must pay a rerecording fee of \$200 for each period for which the brand, or brand and mark, or marks are rerecorded. The rerecording fee must not be prorated for any unused portion of the period for which the brand, or brand and mark, or marks are rerecorded.*

4. *To rerecord a brand, or brand and mark, or marks that have been deemed abandoned pursuant to subsection 5 of NRS 564.120, as amended by section 2 of Senate Bill No. 454, chapter 311, Statutes of Nevada 2021, at page 1832, the owner must pay the following not later than 1 year after the date of the abandonment:*

(a) A nonrefundable application fee of \$35;

(b) A late fee of \$30; and

(c) A rerecording fee of \$200 for each period for which the brand, or brand and mark, or marks are rerecorded. The rerecording fee must not be prorated for any unused portion of the period for which the brand, or brand and mark, or marks are rerecorded.

5. *To record* an instrument transferring the ownership of a recorded brand, or brand and mark, or marks pursuant to NRS 564.110 ~~is \$120.~~, *the applicant must pay:*

(a) A nonrefundable application fee of \$35; and

(b) A recording fee of \$200.

~~4.~~ 6. The fee for processing and continuing administration of a security agreement, provisional assignment or legal lien relating to a brand, or brand and mark, or marks of record for purposes of NRS 564.110 is ~~\$35~~ *\$100* for each period beginning July 1 and ending June 30 of the following year. The fee must not be prorated for any unused portion of the period for which the processing and continuing administration of a security agreement, provisional assignment or legal lien relating to a brand, or brand and mark, or marks of record are required.