

1 *Senate* BILL NO. *371*  
 2 INTRODUCED BY *Flynn McBallum*  
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION  
 5 46-801.2, R.C.M. 1947, TO PERMIT CATTLE USED AS RODEO STOCK  
 6 TO BE ISSUED TRANSPORTATION PERMITS."

7  
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 46-801.2, R.C.M. 1947, is amended  
 10 to read as follows:

11 "46-801.2. Inspection of livestock before change of  
 12 ownership or removal from county--transportation permits.

13 (1) Except as otherwise provided in this act, it is unlawful  
 14 to remove or cause to be removed from a county in this state  
 15 any livestock, or to transfer ownership by sale or otherwise  
 16 or for an intended purchaser or his agent to take possession  
 17 of any such animal subject to title passing upon meeting or  
 18 satisfaction of any conditions unless the livestock has been  
 19 inspected for brands by a state stock inspector or deputy  
 20 state stock inspector, and a certificate of the inspection  
 21 has been issued in connection with and for the purpose of  
 22 the transportation or removal or of such change of ownership  
 23 as provided in this act. The inspection must be made in  
 24 daylight provided, however, that the change of ownership  
 25 inspection requirements of this subsection shall not apply

1 when such sale or change of ownership transaction involves  
 2 five (5) or less such animals.

3 (2) It is unlawful to sell or offer for sale at a  
 4 livestock market any livestock originating within any county  
 5 in this state in which a livestock market is maintained, or  
 6 transported under a market consignment permit until the  
 7 livestock has been inspected for marks and brands by a state  
 8 stock inspector, as provided in this act.

9 (3) It is unlawful to remove or cause to be removed any  
 10 livestock from the premises of a livestock market in this  
 11 state unless the livestock has been inspected for marks and  
 12 brands by a state stock inspector and an inspection  
 13 certificate for the livestock has been issued in connection  
 14 with and for the purpose of the removal from the premises of  
 15 the livestock market, as provided in this act.

16 (4) The person in charge of livestock being removed  
 17 from a county in this state, where inspection thereof is  
 18 required by this act, or where change of ownership has  
 19 occurred or when moved under a market consignment permit  
 20 shall have in his possession the certificate of inspection  
 21 or market consignment permit issued in connection therewith,  
 22 and shall exhibit the certificate to any sheriff, deputy  
 23 sheriff, constable, highway patrolman, state stock inspector  
 24 or deputy state stock inspector at the request of either of  
 25 them. Section 46-803 shall be extended to livestock

1 transported or sold under the above-mentioned permits.

2 (5) The following transportation permits may be issued:

3 (a) If a saddle, work, or show horse is being  
4 transported from county to county in this state by the owner  
5 for his personal use or business, or where a purebred cow is  
6 being transported from county to county in this state by its  
7 owner for show purposes, and where there is no change of  
8 ownership, the inspection certificate as required by this  
9 act, may be endorsed as to the purpose and extent of  
10 transportation by the inspector issuing the certificate in  
11 order to serve as a travel permit in this state for a period  
12 not to exceed one (1) year for the horse or cow described  
13 thereon. The permit becomes void upon any transfer of  
14 ownership or if the horse or cow are to be removed from the  
15 state. In such instances an inspection must be secured for  
16 removal and the endorsed certificate surrendered.

17 (b) The owner of a saddle, work, or show horse may  
18 apply for a permanent transportation permit valid for both  
19 interstate and intrastate transportation of the horse until  
20 there is a change of ownership. To obtain a permit a horse  
21 must have either a registered brand that has been legally  
22 cleared, or a lip tattoo, or the owner must present proof of  
23 ownership to a state stock inspector. A written application,  
24 on forms to be provided by the department, must be completed  
25 by the owner and presented to a state stock inspector

1 together with a five dollar (\$5) permit fee for each horse.  
2 The application shall contain a thorough physical  
3 description of the horse and list all brands and tattoos  
4 carried by the horse.

5 Upon approval of the application by a state stock  
6 inspector, a permanent transportation permit shall be issued  
7 by the department to the owner for each horse and such  
8 permit shall be valid for the life of the horse. If there is  
9 a change of ownership in a horse the permit shall  
10 automatically become void. The permit must accompany the  
11 horse for which it was issued at all times while the horse  
12 is in transit. This permit shall be in lieu of other permits  
13 and certificates required under the provisions of this  
14 section. The state of Montana shall recognize as valid  
15 permanent transportation permits issued in other  
16 jurisdictions to the owner of a saddle, work, or show horse  
17 subsequently entering the state. Such a permit shall be  
18 automatically void upon a change of ownership.

19 (c) When livestock owned by and bearing the registered  
20 brand of a bonafide rodeo producer are being transported  
21 from county to county in this state by the owner for rodeo  
22 purposes, and where there is no change of ownership, the  
23 inspection certificate required by this section may be  
24 endorsed as to the purpose and extent of transportation by  
25 the inspector issuing the certificate in order to serve as a

1 travel permit in this state for the livestock described  
2 thereon. The certificate shall be renewed annually and is  
3 effective only between April 1 and October 31 of the year  
4 for which it is issued. The certificate shall be issued by  
5 a state stock inspector."

-End-

Approved by Committee  
on Agriculture Livestock  
& Irrigation

1                   SENATE BILL NO. 371  
2                   INTRODUCED BY FLYNN, MCCALLUM  
3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION  
5 46-801.2, R.C.M. 1947, TO PERMIT CATTLE USED AS RODEO STOCK  
6 TO BE ISSUED TRANSPORTATION PERMITS."  
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8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
9       Section 1. Section 46-801.2, R.C.M. 1947, is amended  
10 to read as follows:  
11       "46-801.2.    Inspection of livestock before change of  
12 ownership or removal from county--transportation permits.  
13 (1) Except as otherwise provided in this act, it is unlawful  
14 to remove or cause to be removed from a county in this state  
15 any livestock, or to transfer ownership by sale or otherwise  
16 or for an intended purchaser or his agent to take possession  
17 of any such animal subject to title passing upon meeting or  
18 satisfaction of any conditions unless the livestock has been  
19 inspected for brands by a state stock inspector or deputy  
20 state stock inspector, and a certificate of the inspection  
21 has been issued in connection with and for the purpose of  
22 the transportation or removal or of such change of ownership  
23 as provided in this act. The inspection must be made in  
24 daylight provided, however, that the change of ownership  
25 inspection requirements of this subsection shall not apply

1 when such sale or change of ownership transaction involves  
2 five (5) or less such animals.  
3       (2) It is unlawful to sell or offer for sale at a  
4 livestock market any livestock originating within any county  
5 in this state in which a livestock market is maintained, or  
6 transported under a market consignment permit until the  
7 livestock has been inspected for marks and brands by a state  
8 stock inspector, as provided in this act.  
9       (3) It is unlawful to remove or cause to be removed  
10 any livestock from the premises of a livestock market in  
11 this state unless the livestock has been inspected for marks  
12 and brands by a state stock inspector and an inspection  
13 certificate for the livestock has been issued in connection  
14 with and for the purpose of the removal from the premises of  
15 the livestock market, as provided in this act.  
16       (4) The person in charge of livestock being removed  
17 from a county in this state, where inspection thereof is  
18 required by this act, or where change of ownership has  
19 occurred or when moved under a market consignment permit  
20 shall have in his possession the certificate of inspection  
21 or market consignment permit issued in connection therewith,  
22 and shall exhibit the certificate to any sheriff, deputy  
23 sneriff, constable, highway patrolman, state stock inspector  
24 or deputy state stock inspector at the request of either of  
25 them. Section 46-803 shall be extended to livestock

1 transported or sold under the above-mentioned permits.

2 (5) The following transportation permits may be  
3 issued:

4 (a) If a saddle, work, or show horse is being  
5 transported from county to county in this state by the owner  
6 for his personal use or business, or where a purebred cow is  
7 being transported from county to county in this state by its  
8 owner for show purposes, and where there is no change of  
9 ownership, the inspection certificate as required by this  
10 act, may be endorsed as to the purpose and extent of  
11 transportation by the inspector issuing the certificate in  
12 order to serve as a travel permit in this state for a period  
13 not to exceed one (1) year for the horse or cow described  
14 thereon. The permit becomes void upon any transfer of  
15 ownership or if the horse or cow are to be removed from the  
16 state. In such instances an inspection must be secured for  
17 removal and the endorsed certificate surrendered.

18 (b) The owner of a saddle, work, or show horse may  
19 apply for a permanent transportation permit valid for both  
20 interstate and intrastate transportation of the horse until  
21 there is a change of ownership. To obtain a permit a horse  
22 must have either a registered brand that has been legally  
23 cleared, or a lip tattoo, or the owner must present proof of  
24 ownership to a state stock inspector. A written application,  
25 on forms to be provided by the department, must be completed

1 by the owner and presented to a state stock inspector  
2 together with a five dollar (\$5) permit fee for each horse.  
3 The application shall contain a thorough physical  
4 description of the horse and list all brands and tattoos  
5 carried by the horse.

6 Upon approval of the application by a state stock  
7 inspector, a permanent transportation permit shall be issued  
8 by the department to the owner for each horse and such  
9 permit shall be valid for the life of the horse. If there is  
10 a change of ownership in a horse the permit shall  
11 automatically become void. The permit must accompany the  
12 horse for which it was issued at all times while the horse  
13 is in transit. This permit shall be in lieu of other permits  
14 and certificates required under the provisions of this  
15 section. The state of Montana shall recognize as valid  
16 permanent transportation permits issued in other  
17 jurisdictions to the owner of a saddle, work, or show horse  
18 subsequently entering the state. Such a permit shall be  
19 automatically void upon a change of ownership.

20 (c) When livestock owned by and bearing the registered  
21 brand of a bona fide rodeo producer are being transported  
22 from county to county in this state by the owner for rodeo  
23 purposes, and where there is no change of ownership, the  
24 inspection certificate required by this section may be  
25 endorsed as to the purpose and extent of transportation by

1 the inspector issuing the certificate in order to serve as a  
2 travel permit in this state for the livestock described  
3 thereon. The certificate ~~shall be renewed annually and is~~  
4 effective only between April 1 and October 31 of the year  
5 for which it is issued. The certificate shall be issued by  
6 a state stock inspector."

-End-

SENATE BILL NO. 371

INTRODUCED BY FLYNN, MCCALLUM

A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION 46-801.2, R.C.M. 1947, TO PERMIT CATTLE USED AS RODEO STOCK TO BE ISSUED TRANSPORTATION PERMITS."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 46-801.2, R.C.M. 1947, is amended to read as follows:

"46-801.2. Inspection of livestock before change of ownership or removal from county--transportation permits.

(1) Except as otherwise provided in this act, it is unlawful to remove or cause to be removed from a county in this state any livestock, or to transfer ownership by sale or otherwise or for an intended purchaser or his agent to take possession of any such animal subject to title passing upon meeting or satisfaction of any conditions unless the livestock has been inspected for brands by a state stock inspector or deputy state stock inspector, and a certificate of the inspection has been issued in connection with and for the purpose of the transportation or removal or of such change of ownership as provided in this act. The inspection must be made in daylight provided, however, that the change of ownership inspection requirements of this subsection shall not apply

when such sale or change of ownership transaction involves five (5) or less such animals.

(2) It is unlawful to sell or offer for sale at a livestock market any livestock originating within any county in this state in which a livestock market is maintained, or transported under a market consignment permit until the livestock has been inspected for marks and brands by a state stock inspector, as provided in this act.

(3) It is unlawful to remove or cause to be removed any livestock from the premises of a livestock market in this state unless the livestock has been inspected for marks and brands by a state stock inspector and an inspection certificate for the livestock has been issued in connection with and for the purpose of the removal from the premises of the livestock market, as provided in this act.

(4) The person in charge of livestock being removed from a county in this state, where inspection thereof is required by this act, or where change of ownership has occurred or when moved under a market consignment permit shall have in his possession the certificate of inspection or market consignment permit issued in connection therewith, and shall exhibit the certificate to any sheriff, deputy sheriff, constable, highway patrolman, state stock inspector or deputy state stock inspector at the request of either of them. Section 46-803 shall be extended to livestock

1 transported or sold under the above-mentioned permits.

2 (5) The following transportation permits may be  
3 issued:

4 (a) If a saddle, work, or show horse is being  
5 transported from county to county in this state by the owner  
6 for his personal use or business, or where a purebred cow is  
7 being transported from county to county in this state by its  
8 owner for show purposes, and where there is no change of  
9 ownership, the inspection certificate as required by this  
10 act, may be endorsed as to the purpose and extent of  
11 transportation by the inspector issuing the certificate in  
12 order to serve as a travel permit in this state for a period  
13 not to exceed one (1) year for the horse or cow described  
14 thereon. The permit becomes void upon any transfer of  
15 ownership or if the horse or cow are to be removed from the  
16 state. In such instances an inspection must be secured for  
17 removal and the endorsed certificate surrendered.

18 (b) The owner of a saddle, work, or show horse may  
19 apply for a permanent transportation permit valid for both  
20 interstate and intrastate transportation of the horse until  
21 there is a change of ownership. To obtain a permit a horse  
22 must have either a registered brand that has been legally  
23 cleared, or a lip tattoo, or the owner must present proof of  
24 ownership to a state stock inspector. A written application,  
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20 (c) When livestock owned by and bearing the registered  
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23 purposes, and where there is no change of ownership, the  
24 inspection certificate required by this section may be  
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1 the inspector issuing the certificate in order to serve as a  
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4 effective only between April 1 and October 31 of the year  
5 for which it is issued. The certificate shall be issued by  
6 a state stock inspector."

-End-

HOUSE OF REPRESENTATIVES

March 14, 1975

HOUSE COMMITTEE ON AGRICULTURE, LIVESTOCK AND IRRIGATION AMENDMENTS TO  
SENATE BILL NO. 371, THIRD READING COPY.

1. Amend the title, page 1, line 6.

Following: "PERMITS"

Insert: ", AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Amend page 5, section 1, following line 6.

Insert: a new section 2 as follows: "Section 2. Effective date.

This act is effective on its passage and approval."

AS SO AMENDED

BE CONCURRED IN

1 SENATE BILL NO. 371

2 INTRODUCED BY FLYNN, MCCALLUM

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION  
5 46-801.2, R.C.M. 1947, TO PERMIT CATTLE USED AS RODEO STOCK  
6 TO BE ISSUED TRANSPORTATION PERMITS, AND PROVIDING AN  
7 IMMEDIATE EFFECTIVE DATE."

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21 state stock inspector, and a certificate of the inspection  
22 has been issued in connection with and for the purpose of  
23 the transportation or removal or of such change of ownership  
24 as provided in this act. The inspection must be made in  
25 daylight provided, however, that the change of ownership

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15 with and for the purpose of the removal from the premises of  
16 the livestock market, as provided in this act.

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18 from a county in this state, where inspection thereof is  
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25 or deputy state stock inspector at the request of either of

REFERENCE BILL

1 them. Section 46-803 shall be extended to livestock  
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3 (5) The following transportation permits may be  
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10 ownership, the inspection certificate as required by this  
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12 transportation by the inspector issuing the certificate in  
13 order to serve as a travel permit in this state for a period  
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16 ownership or if the horse or cow are to be removed from the  
17 state. In such instances an inspection must be secured for  
18 removal and the endorsed certificate surrendered.

19 (b) The owner of a saddle, work, or show horse may  
20 apply for a permanent transportation permit valid for both  
21 interstate and intrastate transportation of the horse until  
22 there is a change of ownership. To obtain a permit a horse  
23 must have either a registered brand that has been legally  
24 cleared, or a lip tattoo, or the owner must present proof of  
25 ownership to a state stock inspector. A written application,

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2 by the owner and presented to a state stock inspector  
3 together with a five dollar (\$5) permit fee for each horse.  
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8 inspector, a permanent transportation permit shall be issued  
9 by the department to the owner for each horse and such  
10 permit shall be valid for the life of the horse. If there is  
11 a change of ownership in a horse the permit shall  
12 automatically become void. The permit must accompany the  
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18 jurisdictions to the owner of a saddle, work, or show horse  
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20 automatically void upon a change of ownership.

21 (c) When livestock owned by and bearing the registered  
22 brand of a bona fide rodeo producer are being transported  
23 from county to county in this state by the owner for rodeo  
24 purposes, and where there is no change of ownership, the  
25 inspection certificate required by this section may be

1 endorsed as to the purpose and extent of transportation by  
2 the inspector issuing the certificate in order to serve as a  
3 travel permit in this state for the livestock described  
4 thereon. The certificate ~~shall be renewed annually~~ and is  
5 effective only between April 1 and October 31 of the year  
6 for which it is issued. The certificate shall be issued by  
7 a state stock inspector."

8 SECTION 2. EFFECTIVE DATE. THIS ACT IS EFFECTIVE ON  
9 ITS PASSAGE AND APPROVAL.

-End-