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States' Animal Identification Statutes:

Mississippi



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Miss. Code Tit. 69, Ch. 15, Art. 3 Section 107

Miss. Code Tit. 69, Ch. 29

The Statutes and Constitution are current with laws from the 2024 Regular, First, and Second Extraordinary Sessions effective through July 1, 2024.

Miss. Code § 69-15-107. Brucellosis eradication.

(1) In addition to other authority vested in the Board of Animal Health, it shall have the following powers and duties:

(a) To quarantine all herds of cattle where reactors are disclosed or found by private tests, auction barn sale tests, market cattle testing of slaughter cattle and dairy herds that are suspicious to the brucellosis ring test (milk).

(b) Owners of herds so quarantined in counties carrying out brucellosis eradication programs either in cooperation with the board of supervisors or Animal Health Division, Agricultural Research Services, USDA, shall have a maximum of sixty (60) days from date of quarantine issuance in which to have the quarantined portion of their herd officially tested for brucellosis. The herd owner shall be responsible for making herd test arrangements, using at his option either the federal veterinarian assigned to his area or any private practitioner licensed to test cattle in the herd owner's county under the area plan. It shall be the herd owner's responsibility to assemble, confine, and hold the quarantined cattle at a time and place agreed upon by himself and his selected veterinarian for the purpose of identifying and testing those animals required to be tested under the uniform methods and rules for establishing and maintaining modified certified brucellosis areas adopted by the United States Livestock Sanitary Association and approved by the Animal Health Division, Agricultural Research Services, USDA. These uniform methods and rules shall be followed explicitly in carrying out all official area brucellosis testing work, and owners of quarantined herds shall be responsible for retesting of quarantined portions of their herds within time limits prescribed by these rules. Within these time limits, quarantined herd owners shall enjoy the same options for



veterinarian selection and time and test location as outlined above for the original test.

(c) Owners of quarantined herds who fail to take action in having their herd officially tested for brucellosis within sixty (60) days of quarantine issuance shall upon notice from the State Veterinarian assemble or have assembled these quarantined cattle at a place and time designated in order that the brucellosis test may be applied. Assistance shall be given by such owners in confining these cattle in order that the test may be administered properly, and the same cattle shall be returned for checking, tagging and branding of reactors at a time and place designated by the inspector or veterinarian in charge. It shall be the duty of the sheriff in any county in which the work of brucellosis testing is in progress to render to agents of the Board of Animal Health every assistance in enforcing the laws and regulations of said board. If the sheriff of any county shall neglect, fail or refuse to render this assistance when so required, he shall be guilty of a misdemeanor and be punishable as in other cases of malfeasance or misfeasance.

(d) All cattle which have reacted to the brucellosis test shall be tagged and branded and removed from the herd of cattle and shall be permitted to market for slaughter within a period of fifteen (15) days after the date of tagging and branding. When funds are available from the state or federal government, indemnities will be paid to the owner of reactors when properly appraised and disposed of.

(e) As stated in paragraph (b), current uniform methods and rules for establishing and maintaining modified certified brucellosis areas adopted by the United States Livestock Sanitary Association and approved by the Animal Health Division, Agricultural Research Services, USDA, shall be followed.

(2) Any person, firm or corporation failing to comply with any of the provisions of this section or interfering with any duly appointed officer of the Board of Animal Health in the discharge of his duty, or for having discharged his duties, shall be deemed in violation of the provisions of this section and shall be subject to the provisions of Sections 69-15-53 through 69-15-69.

Miss. Code § 69-29-1. Mississippi Agricultural and Livestock Theft Bureau established; director; employment of investigators; powers, duties and authority of director; vehicles, equipment and supplies; cooperation and assistance of other agencies; timber product defined; timber products theft investigation.



(1)

(a) There is established the Mississippi Agricultural and Livestock Theft Bureau.

(b) The Commissioner of Agriculture and Commerce shall appoint a director of the Mississippi Agricultural and Livestock Theft Bureau. Such director shall have at least five (5) years of law enforcement experience. Such director shall be responsible solely to the supervision of the Commissioner of Agriculture and to no other person or entity. Such director may be discharged only for just cause shown.

(c) The director may employ twelve (12) agricultural and livestock theft investigators. Each investigator shall be certified as a law enforcement officer, successfully completing at least a nine-week training course, in accordance with Section 45-6-11. The curriculum for the training of constables shall not be sufficient for meeting the certification requirements of this paragraph. In the selection of investigators under this section, preference shall be given to persons who have previous law enforcement experience.

(d) The director appointed under this section, under the direction, control and supervision of the commissioner, and the investigators employed under this section shall perform only the duties described in subsection (2) of this section and shall not be assigned any other duties.

(2) The director appointed under this section and the investigators employed under this section shall have the following powers, duties and authority:

(a) To enforce all of the provisions of Sections 69-29-9 and 69-29-11, and particularly those portions requiring persons transporting livestock to have a bill of sale in their possession; to make investigations of violations of such sections and to arrest persons violating same;

(b) To enforce all of the laws of this state enacted for the purpose of preventing the theft of livestock, poultry, timber and agricultural, aquacultural and timber products and implements; to make investigations of violations thereof and to arrest persons violating same;

(c) To cooperate with all regularly constituted law enforcement officers relative to the matters herein set forth;

(d) To serve warrants and other process emanating from any court of lawful jurisdiction, including search warrants, in all matters herein set forth;



(e) To carry proper credentials evidencing their authority, which shall be exhibited to any person making demand therefor;

(f) To make arrests without warrant in all matters herein set forth in cases where same is authorized under the constitutional and general laws of this state;

(g) To handle the registration of brands of cattle and livestock;

(h) To investigate, prevent, apprehend and arrest those persons anywhere in the state who are violating any of the laws administered by the Department of Agriculture and Commerce, including, but not limited to, all agriculture-related crimes;

(i) To access and examine records of any person, business or entity that harvests, loads, carries, receives or manufactures timber products as defined in this section. Each such person or entity shall permit the director or any investigator of the Mississippi Agricultural and Livestock Theft Bureau to examine records of the sale, transfer or purchase of timber or timber products, including, but not limited to, contracts, load tickets, settlement sheets, drivers' logs, invoices, checks and any other records or documents related to an ongoing investigation of the Mississippi Agricultural and Livestock Theft Bureau;

(j) To conduct training for law enforcement regarding laws enforced by the bureau and to assist any other law enforcement agencies in responding to matters that may be related to agriculture and commerce in the State of Mississippi and in cases of natural disasters or other disasters to respond as needed or as requested by other agencies.

(3) The Commissioner of Agriculture and Commerce shall furnish such investigators with such vehicles, equipment and supplies as may be necessary. All expenses of same, and all other expenses incurred in the administration of this section, shall be paid from such appropriation as may be made by the Legislature.

(4) The Mississippi Department of Revenue and its agents and employees shall cooperate with such investigators by furnishing to them information as to any possible or suspected violations of any of the laws mentioned herein, including specifically Section 69-29-27, and in any other lawful manner.

(5) The conservation officers of the Department of Wildlife, Fisheries and Parks are authorized to cooperate with and assist the agricultural and livestock theft investigators in the enforcement and apprehension of violators of laws regarding agricultural and livestock theft.



(6) The Mississippi Forestry Commission employees are excluded from any timber and timber products theft investigative responsibilities except when technical expertise is needed and requested through the State Forester or his designee.

(7) For the purposes of this section, "timber product" means timber of all kinds, species or sizes, including, but not limited to, logs, lumber, poles, pilings, posts, blocks, bolts, cordwood and pulpwood, pine stumpwood, pine knots or other distillate wood, crossties, turpentine (crude gum), pine straw, firewood and all other products derived from timber or trees that have a sale or commercial value.

Miss. Code § 69-29-2. License requirement of persons who transfer or sell certain animals for research.

(1) Every person, firm, association or corporation, before seeking to sell or transfer dogs or cats, or both, for research, shall obtain a license from the Director of the Mississippi Agricultural and Livestock Theft Bureau. The fee and requirements for such license shall be set by the Director of the Mississippi Agricultural and Livestock Theft Bureau. Application for such license shall be made on forms prescribed and furnished by the director. Such license shall be nontransferable, renewable annually. A new license shall be issued if there is any change in the location or ownership of the business.

(2) At the time application is made for a license under subsection (1) of this section and before the issuance of such license by the Director of the Mississippi Agricultural and Livestock Theft Bureau, the applicant shall file with the director a bond in the penal sum of Five Thousand Dollars (\$5,000.00) payable to the State of Mississippi with surety to be approved by the Secretary of State for the faithful performance of the requirements of this section. Evidence shall be supplied to the director annually, at the time license is renewed, that the bond continues in force and effect. In the event the bond is cancelled or will not be renewed, the bonding company shall notify the director in writing at least thirty (30) days before the cancellation of such bond. If a bond is cancelled or fails to be renewed, the license issued under this section shall stand void automatically. The license shall not stand void if a new bond as required herein is filed with the director before the expiration date of the original bond.

(3) The following information shall be recorded by every person, firm, association or corporation licensed under this section for each dog or cat received, sold or transferred under the provisions of this section:



(a) The name, address and telephone number of the person, firm, association or corporation from whom each dog or cat was received and to whom each dog or cat was delivered.

(b) A complete description of each dog or cat received, sold or transferred, including a photograph of each side of the animal.

(c) Any other information as required by the Director of the Mississippi Agricultural and Livestock Theft Bureau.

(4) The Director of the Mississippi Agricultural and Livestock Theft Bureau shall promulgate rules and regulations necessary to effectuate the provisions of this section.

(5) Any person violating the provisions of this section, upon conviction for a first violation, shall be punished by a fine of not less than Five Hundred Dollars (\$500.00) nor more than One Thousand Dollars (\$1,000.00) or by imprisonment in the county jail for not more than six (6) months, or by both. Any person violating the provisions of this section, upon conviction for a second or subsequent violation, shall be punished by imprisonment in the Penitentiary for not less than one (1) year or a fine of not less than One Thousand Dollars (\$1,000.00), or by both. Any person who holds a license issued under this section who is convicted of any violation of this section, shall have his license revoked for a minimum of one (1) year.

Miss. Code § 69-29-3. Prohibition as to marking or branding of animals with intent to deprive owner of property.

If any person, knowingly, shall mark or brand any animal, the property of another, with a mark or brand calculated or intended to designate ownership not that of the owner, without the consent of the owner, or without authority of law, and with intent to deprive the owner of his property, he shall, on conviction thereof, be imprisoned, in the penitentiary not more than three years, or be fined in a sum not more than five hundred dollars, or imprisoned in the county jail for a period not longer than one year, or both.

Miss. Code § 69-29-5. Prohibition as to altering or defacing of brands or marks without owner's consent.

If any person shall knowingly alter or deface the brand or mark of any animal, intended to designate ownership, the property of another, without his consent, and with intent to deprive the owner of his property, he shall, on conviction, suffer the penalty provided in Section 69-29-3.



Miss. Code § 69-29-7. Butchers and dealers to keep register of brands and marks; penalty for violation.

Every butcher or dealer in cattle, sheep, or hogs, who shall fail to enter in a book or register the names of all persons for whom he buys, and a description by marks, brands, and otherwise of all animals bought or kept by him for slaughter, or to allow an inspection of such entries at any time, by any person interested to make it, shall, on conviction, be imprisoned in the county jail not exceeding six months, or be fined one hundred dollars, or both.

Miss. Code § 69-29-9. Branding, misbranding or mismarking cattle or swine with intent to defraud; penalty.

Any person who shall, with intent to defraud, brand or mis-brand, mark or mismark any neat cattle or swine not his own; or any person who shall intentionally brand over a previous brand or in any manner alter, deface or obliterate a previous brand or earmark, or shall cut out and obliterate a previous brand or earmark on any neat cattle or swine, shall be guilty of a felony, and upon conviction thereof, shall be punished by imprisonment in the state penitentiary not less than six months nor more than one year.

Miss. Code § 69-29-11. Regulations as to transportation of livestock; penalty for violation.

For any person to haul, transport or carry any livestock upon and over the public highways, roads and streets of this state by means of a motor vehicle or other vehicle drawn or propelled by a motor vehicle, such person shall have in his possession a bill of sale showing:

- (i) from whom such livestock was purchased;
- (ii) description of such livestock, with brands or earmarks, if any;
- (iii) signature and address of the seller; and
- (iv) the date of sale and delivery.

Any sheriff, constable, agricultural and livestock theft investigator or police officer shall have the power to inspect any livestock in the process of transportation upon the highways of Mississippi.

Any person who shall violate any provisions of this section, or Section 69-29-9, shall be deemed guilty of a misdemeanor and, upon conviction therefor, shall be punished by a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00), and by imprisonment in the county jail not less than thirty



(30) days nor more than six (6) months. Any person convicted of stealing livestock is subject to the penalties provided in Section 97-17-53.

Miss. Code § 69-29-13. Mortgaged cattle; notice of loss of same.

The owner of any cattle or stock which shall be mortgaged shall, within thirty days, give notice to the mortgagee of the death, theft or estray of any animal included in the lien created by said mortgage, if the mortgagor has knowledge of the death, theft or estray, and any owner who shall fail to give such notice shall be guilty of a misdemeanor and shall upon conviction, be fined not less than Fifty Dollars (\$50.00) nor more than Two Hundred Dollars (\$200.00) or be imprisoned in the county jail for not more than sixty (60) days, or both.

Miss. Code § 69-29-15. Unlawful removal of any collar, tag, or marking device on any animal without permission of owner; penalties.

It shall be unlawful for a person to remove any collar, tag or marking device on any animal not owned by such person and without the permission of the owner of the animal. Any person violating the provisions of this section, upon conviction for a first violation, shall be punished by a fine of not less than Two Hundred Fifty Dollars (\$250.00) nor more than One Thousand Dollars (\$1,000.00) or by imprisonment in the county jail for not more than six (6) months, or by both. Any person violating the provisions of this section, upon conviction for a second or subsequent violation, shall be punished by imprisonment in the Penitentiary for not less than one (1) year or a fine of not less than One Thousand Dollars (\$1,000.00), or by both.

Miss. Code § 69-29-101. Purpose of article.

The purpose of this article is to provide a place for registration of brands or marks of cattle and other livestock in an appropriate bureau, which may be called the Mississippi Agricultural and Livestock Theft Bureau, in the Department of Agriculture and Commerce under the Commissioner of Agriculture and Commerce of the State of Mississippi, in order to avoid confusion as to brands or marks of cattle and other livestock, and to protect the owners against theft, and to aid the agricultural and livestock theft investigators in the Department of Agriculture and Commerce in tracing such cattle and other livestock when stolen, apprehending such thieves and returning the cattle and other livestock to the owner thereof.

Miss. Code § 69-29-103. Definitions.

The following words, or similar words, when used in this article shall have the following meaning unless the context clearly indicates otherwise:



- (a) "Commissioner" means the Commissioner of Agriculture and Commerce of the State of Mississippi, under whose supervision this article is placed.
- (b) "Bureau" means the Mississippi Agricultural and Livestock Theft Bureau, or its successor, in the Department of Agriculture and Commerce, under the administration of the Commissioner of Agriculture and Commerce for the apprehending of cattle and other livestock thieves.
- (c) "Brand" means any recorded identification mark applied to any position on the hide of a live animal by means of heat, acid or chemical.
- (d) "Person" means any individual, partnership, association or corporation.
- (e) "Livestock" means horses, cattle, swine, sheep, poultry and other domestic or exotic animals, birds or fish produced for profit.
- (f) "Livestock market" means any place at which a person assembles livestock either for public or private sale by him, such services to be compensated for by the owner on a commission basis or otherwise, or where such person purchases livestock for resale, except:
- (i) Any place other than at a permanently established livestock market used solely for the dispersal sale of the livestock of a farmer, dairyman, livestock breeder or feeder who is discontinuing said business and no other livestock is there sold or offered for sale;
 - (ii) Any farm, ranch, or place where livestock either raised or kept thereon for the grazing season or for fattening is sold, and no other livestock is brought there for sale or offered for sale;
 - (iii) The premises of any person engaged in the raising of livestock for breeding purposes only, who limits his or its sale to animals of his or its own production;
 - (iv) Any place where a breeder or an association of breeders of livestock of any class assemble and offer for sale and sell under his or their own management any livestock, when such breeder or association of breeders shall assume all responsibility of such sale and the title of livestock sold.
- (g) "Mark" means a distinct marking or device placed on a live animal sufficient to distinguish the animal readily if it becomes intermixed with other animals, and includes a tattoo.

Miss. Code § 69-29-105. Registration and ownership of brands; transfer of registration and ownership; penalties for violation.



(1) Any cattle or other livestock owner, who uses or desires to use and adopt a brand or mark to identify his livestock must register his brand or mark by making application for such registration to the Department of Agriculture and Commerce. Not only all livestock owners who have their cattle branded before this law goes into effect must apply for registration, but also those persons who desire to brand or mark their livestock for the first time must apply for registration, and submit their proposed brand or mark to the department for clearing before it is applied. The application shall be made on forms prescribed and furnished by the department, which application shall be accompanied by a fee of Five Dollars (\$5.00) and a facsimile of the brand or mark or proposed brand or mark to be registered shall also be furnished by the applicant. All fees collected hereunder for registration, transfer, or reregistration of brands or marks shall be deposited in the State Treasury. If the brand or mark described in the application has not previously been registered by another cattle owner, or does not closely resemble a registered brand or mark, the department shall approve the application, register the brand or mark in the name of the applicant, and issue to the applicant a certificate of registration. In case of duplication of brands or marks as shown by applications, the owner of the brand or mark who first records with the department will be recognized. When a livestock owner, who has registered a brand or mark with the department, transfers such brand or mark to another person, he shall immediately notify the department of the transfer, giving the date of transfer, and the name and address of the transferee. Upon receipt of the notice and a transfer fee of Two Dollars (\$2.00), the department shall cause such transfer to be noted in the register of brands and marks, and such brand or mark shall not be used by the new owner until permission has been given by the department for the use of such brand or mark.

(2) No two (2) or more brands or marks of the same design or figure, and no two (2) or more earmarks of the same kind shall be adopted, designed and recorded, and when a brand, mark or earmark shall have been designed, adopted and recorded, the person so adopting and recording same shall be entitled to the exclusive use thereof, and it shall be his exclusive property, but the right to the use of such brand or mark may be sold and transferred by an instrument in writing, signed, acknowledged and recorded in the chancery clerk's office of the county where the brand, mark or earmark is recorded. When the right to the use of a brand, mark or earmark has been sold and transferred and recorded as herein provided, the chancery clerk shall note on the "brand, mark and earmark book" that such brand, mark or earmark has been sold and transferred, giving the book and page where such transfer is recorded.



(3) Any person who shall violate any of the provisions of subsection (2) of this section shall be deemed guilty of a misdemeanor and, upon conviction therefor, shall be punished by a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00), and by imprisonment in the county jail not less than thirty (30) days nor more than six (6) months. Any person convicted of stealing livestock is subject to the penalties provided in Section 97-17-53.

Miss. Code § 69-29-107. Copy of certificate of registration as evidence.

In all suits at law or in equity, or in any criminal proceedings when the title or right of possession is involved, a copy of the certificate of brand or mark registration verified by affidavit of the department shall be received in evidence by the court as evidence of the registration of such brand or mark in accordance with the requirements of this article.

Miss. Code § 69-29-109. Reregistration and renewal of brands.

All brands or marks of cattle and other livestock, upon being registered with the department shall be reregistered once every five (5) years thereafter. Those brands or marks which have been filed and recorded in the Office of the Secretary of State after January 1, 1946, give the owner priority to the use of such brand or mark, and in event of duplication, the brand or mark first filed with the Secretary of State shall have priority over any same or similar brand or mark filed with the Secretary of State thereafter.

After July 1, 1952, it shall be necessary for all such owners of brands or marks who have filed and recorded brands or marks in the Office of the Secretary of State after January 1, 1946, to reregister any and all such brands or marks with the department, and pay the necessary registration fee. Brands or marks recorded in the Office of the Secretary of State before January 1, 1946, are not recognized for the purpose of priority, because of the confused state of the records. After the registration of such brands or marks with the department, they must be reregistered not later than five (5) years thereafter, or ownership thereto will be lost.

All brands or marks registered after July 1, 1952, shall be reregistered on or before five (5) years after the date of registration. Upon the transfer of any such brand or mark, notice of such transfer shall be furnished the department by the transferor, and the department shall keep a record of all such transfers.

At least ninety (90) days before the renewal date for all brands or marks, the department shall notify all persons having brands or marks registered of the date on which such brand or mark must be renewed. On or before the renewal date of all brands or marks the registered owner thereof shall pay to the department a renewal fee of Five Dollars (\$5.00) and shall furnish such additional



information as the department may require on forms to be furnished by the department. If any cattle owner fails to renew any brand or mark registered in his name, such brand or mark shall be forfeited and shall be available to any other applicant.

Miss. Code § 69-29-111. Forms; register of brands.

The Department of Agriculture and Commerce shall prescribe and furnish forms on which applications for registration, reregistration and transfer of brands or marks shall be made and shall furnish such forms to the sheriff and the county agricultural agent of each county of the state to be distributed on request to livestock owners desiring to make application for registration of brands or marks and such applications may also be furnished to applicants by the department. The department shall maintain a complete register of all brands or marks, showing the name and address of the owner, and shall annually publish and distribute copies of this register and supplementary copies thereof to every livestock market and sheriff's office and chancery clerk in the state. Copies of the register of brands and marks may be furnished to other persons requesting such copies, at a price to be determined by the department. Copies of the register of brands and marks shall be published in booklet form. The department shall also determine from its records of registration the ownership of any estrayed cattle and furnish such information to interested persons, upon receipt of notice giving details of the kind of animal, color, weight, size, sex, age, marks, brands and other identifying information.

Miss. Code § 69-29-113. Livestock market operators and hide dealers to keep records.

- (1) Every operator of a livestock market where livestock is sold shall keep a copy of the register of brands and marks in his place of business where it will be easily accessible for public inspection.
- (2) The operator of every livestock market where livestock is sold, together with all dealers, slaughterers and butchers who buy livestock for slaughter which was not purchased at a livestock market, shall keep a record covering all livestock received, including:
 - (a) The name and address of the owner of the livestock;
 - (b) The license tag number of the vehicle delivering the livestock;
 - (c) The name and address of the driver of the vehicle delivering the livestock and his motor vehicle operator's license number or Social Security number, preferably both;
 - (d) The number of livestock received; and



(e) A description of livestock including color.

These records shall be kept for public inspection for a period of two (2) years after the livestock is received.

(3) Livestock hide dealers are required to keep a record of all hides of livestock received by them, including:

- (a) The name and address of the owner of the hides;
- (b) The vehicle tag number of the vehicle delivering the hides;
- (c) The name and address of the driver of the vehicle and his motor vehicle operator's license number or Social Security number, preferably both; and
- (d) A description of the hides, including any brands or marks.

Livestock hide dealers shall keep such records for a period of two (2) years from the time of purchase.

(4) Any livestock market operator, dealer, slaughterer, butcher or livestock hide dealer who fails to keep these records and make them available to authorized inspectors or officers of the law shall be fined not less than Twenty-five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00).

Miss. Code § 69-29-115. Rules and regulations.

The Department of Agriculture and Commerce shall have authority to promulgate such rules and regulations as are reasonably necessary to carry out the intent and purpose of this article and that shall facilitate the tracing and identification of livestock and afford protection against stealing and unlawful dealing in livestock.

Any driver moving livestock from any advertised sale shall have a bill of sale or other written evidence of purchase for the livestock in his possession, to be shown on request of any duly authorized law enforcement officer and to be delivered to the purchaser with delivery of the livestock.

Miss. Code § 69-29-117. Unlawful acts.

It shall be unlawful for:

- (a) Any person to use any brand or mark for branding cattle or other livestock unless the brand or mark is registered with the Department of Agriculture and Commerce;
- (b) Any person to obliterate, alter or deface the brand or mark of any animals;



(c) Any livestock market to receive and sell livestock unless records of such sale are kept in accordance with the requirements of this article;

(d) Any livestock market to fail to keep a copy of the register of brands and marks furnished to them by the department in a place easily accessible to interested parties;

(e) Any livestock hide dealer to fail or refuse to keep records required by subsection (c) of Section 69-29-113.

Miss. Code § 69-29-119. Minor owner may have separate brands.

Minors owning cattle or stock separate from that of the father or guardian may have a brand and mark, which shall be recorded; the father or guardian shall be responsible for the proper use of such brand and mark of any such minor.

Miss. Code § 69-29-121. Penalty for violations.

Any person who violates any of the provisions of this article shall be guilty of a misdemeanor, and upon conviction, shall be punished by a fine of not less than Twenty-five Dollars (\$25.00), nor more than Five Hundred Dollars (\$500.00), or by imprisonment for a term of not more than six months, or both, in the discretion of the court.

Miss. Code § 69-29-201. Purposes, organization, powers and duties.

For the purpose of encouraging the production of more and better livestock and poultry in this state, and for the purpose of preventing theft of livestock and poultry by posting cash rewards for the arrest and conviction of livestock and poultry thieves, and requesting the Governor to aid by posting rewards and employing detectives for this purpose, all owners of livestock and poultry and land owners in any county are hereby authorized and encouraged to organize a county livestock and poultry owners protective association, hereinafter referred to as the association. All persons owning land in the county and all persons owning any livestock or poultry in the county are eligible to membership in the association. They shall organize by meeting at the county courthouse, by electing a president of the association and a secretary, and a treasurer, who shall each agree to serve for one year, without pay, when their successors shall be elected. There shall be a board of directors, not to exceed three members from each beat in the county, elected at the same time and in the same manner as the other officers. No legal charter of incorporation shall be necessary. Each county association shall have authority to make and publish its own by-laws and fix the amount of annual dues. The association, being purely voluntary, may disband or continue to function, as the members shall determine. Any association already organized in any county shall be deemed to be lawfully organized for the purpose of this article.



Miss. Code § 69-29-203. Assistance to sheriff in apprehending thieves; reward.

When the theft of any livestock or poultry shall be reported to the sheriff of the county where the theft occurred, it shall be the duty of the sheriff to make prompt and diligent effort to arrest the thief or thieves. At the same time, it shall be the duty of the president of the association to assist the sheriff in the capture of the thief or thieves by posting or publishing the standing reward offered by the association for information leading to arrest and conviction of the said thief or thieves, but in case of a theft of poultry no such reward shall be offered by the association where the value of the poultry stolen would amount to a misdemeanor only. When additional assistance may be needed to bring those guilty of the theft of any livestock or poultry to justice, the president of the association, or in his absence or disability, three or more directors of the association may, in their discretion, notify the Governor and request his assistance. When the Governor shall receive such request it shall then be his duty to offer such reward as he may deem proper for arrest and conviction of the said thief or thieves, or for information leading to the arrest and conviction, but such reward shall not exceed Fifty Dollars (\$50.00) in any particular case. In case it is impossible to break up livestock and poultry thefts without employment of detectives, then the Governor may, in his discretion, employ a reliable detective to assist the sheriff and the association in any county. The reward to be offered by the Governor and the expense of detectives shall be paid out of the Governor's contingent fund.

Miss. Code § 69-29-205. Reports.

It shall be the duty of the secretary of each county association to file annually with the Governor a report, countersigned by the president and treasurer of the association, showing the names of all officers and directors, the number of members, the amount of dues collected, the amount paid by the association in rewards, the number of arrests and convictions, the number of thefts of livestock and poultry, and the number stolen and recovered. It shall be the duty of the Governor to report to the Legislature in detail his expenditures from contingent fund, in an itemized statement, and he shall have on file in his office for the information of members of the Legislature the information furnished by the various county associations.

Miss. Code § 69-29-301. Short title.

This article may be cited and shall be known as the "Animal Research or Exhibiting Facilities Protection Act."

Miss. Code § 69-29-303. Definitions.

The following words and phrases shall have the meanings ascribed herein unless the context clearly indicates otherwise:



- (a) "Actor" means a person accused of any of the offenses defined in this article.
- (b) "Animal" means a warm or cold-blooded animal used in food or fiber production, agriculture, exhibition, research, testing, experimentation or education, including poultry, fish and insects.
- (c) "Animal research or exhibiting facility," hereinafter referred to as an "animal facility," includes a vehicle, building, separately secured yard, pad, pond, enclosure, structure or premises where an animal is kept, shown, handled, housed, exhibited, bred or offered for sale and any building, laboratory, institution, organization or school in which a person or persons are engaged in research, testing, educational or experimental activities or in which any commercial or academic enterprise is using warm-blooded or cold-blooded animals for food or fiber production, agriculture, research, testing, experimentation or education.
- (d) "Consent" means assent in fact, whether express or apparent.
- (e) "Deprive" means:
- (i) To purposely or knowingly withhold an animal or other property from the owner permanently or for such an extended time that a major portion of the value or enjoyment of the animal or property is lost to the owner;
 - (ii) To restore the animal or other property only upon payment for reward or other compensation; or
 - (iii) To dispose of an animal or other property in a manner that makes recovery of the animal or property by the owner unlikely.
- (f) "Effective consent" includes consent by a person legally authorized to act for the owner. Consent is not effective if:
- (i) Induced by force, threat, false pretenses or fraud;
 - (ii) Given by a person the actor knows is not legally authorized to act for the owner;
 - (iii) Given by a person who by reason of youth, mental disease or defect or intoxication is known by the actor to be unable to make reasonable decisions; or
 - (iv) Given solely to detect the commission of an offense.



(g) "Owner" means a person who has title to the property, possession of the property, whether lawful or not, or a greater right to possession of the property than the actor.

(h) "Person" means an individual, corporation, association, nonprofit corporation, joint-stock company, firm, trust, partnership, two (2) or more persons having a joint or common interest or other legal entity.

(i) "Possession" means actual care, custody, control or management.

Miss. Code § 69-29-305. Prohibition against acquisition or exercise of control over animal facility with intent to disrupt or damage enterprise conducted at facility without consent of owner.

A person shall not, without the effective consent of the owner, acquire or otherwise exercise control over an animal facility, an animal from an animal facility or other property from an animal facility with the intent to deprive the owner of the facility, animal or property and to disrupt or damage the enterprise conducted at the animal facility.

Miss. Code § 69-29-307. Prohibition against damaging or destroying animal or animal facility with intent to disrupt or damage without consent of owner.

A person shall not, without the effective consent of the owner, damage or destroy an animal facility or an animal or property in or on an animal facility with the intent to disrupt or damage the enterprise conducted at the animal facility.

Miss. Code § 69-29-309. Prohibition against entering or remaining concealed in animal facility to commit prohibited act without consent of owner.

A person shall not, without the effective consent of the owner, with the intent to disrupt or damage the enterprise conducted at the animal facility:

(a) Enter an animal facility, not then open to the public, with intent to commit an act prohibited by this article;

(b) Remain concealed, with intent to commit an act prohibited by this article, in an animal facility; or

(c) Enter an animal facility and commit or attempt to commit an act prohibited by this article.

Miss. Code § 69-29-311. Prohibition against entering or remaining in an animal facility with intent to disrupt or damage enterprise conducted at facility without consent of owner; notice requirement; definitions.



(1) A person shall not, without the effective consent of the owner, enter or remain in an animal facility with the intent to disrupt or damage the enterprise conducted at the animal facility if the person:

- (a) Had notice that the entry was forbidden; or
- (b) Received notice to depart but failed to do so.

(2) For purposes of this section, "notice" means:

- (a) Oral or written communication by the owner or someone with apparent authority to act for the owner;
- (b) Fencing or other enclosure obviously designed to exclude intruders or to contain animals; or
- (c) A sign or signs posted on the property or at the entrance to the building, reasonably likely to come to the attention of intruders, indicating that entry is forbidden.

Miss. Code § 69-29-313. Applicability.

This article does not apply to, affect or otherwise prohibit actions taken by the Department of Agriculture and Commerce, any other federal, state or local department or agency or an official or employee of these entities while in the exercise or performance of a power of duty imposed by law or regulation.

Miss. Code § 69-29-315. Penalties for violations.

(1) A person violating the provisions of Sections 69-29-305, 69-29-307 and 69-29-309, upon conviction, shall be punished by a fine of not more than Ten Thousand Dollars (\$10,000.00) or by imprisonment for not more than three (3) years, or both.

(2) A person violating the provisions of Section 69-29-311, upon conviction, shall be punished by a fine of not more than Five Thousand Dollars (\$5,000.00) or by imprisonment for not more than one (1) year, or both.

