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States' Animal Identification Statutes:

Nevada



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States' Animal Identification Statutes: Nevada

Nev. Rev. Stat. Tit. 50, Ch. 562, Secs 562.460-490

Nev. Rev. Stat. Tit. 50, Ch. 564

Nev. Rev. Stat. Tit. 50, Ch. 565

Nev. Rev. Stat. Tit. 50, Ch. 566

Current through legislation of the 82nd Regular Session (2023) Chapters 1 to 535 (End) and the 35th Special Session (2023) Chapter 1 (End).

Nev. Rev. Stat. § 562.460. Brand inspection of sheep and issuance of brand inspection clearance certificate; fee.

1. Each inspector shall:

(a) At the request of the owner of sheep, perform a brand inspection of the sheep for brands or marks; and

(b) Upon the completion of such an inspection, issue a brand inspection clearance certificate in accordance with NRS 565.120.

2. The State Department of Agriculture may levy and collect a reasonable fee for brand inspections as authorized under the provisions of this chapter. Any fee so levied must be collected in the manner prescribed by the Director of the Department and deposited into the Livestock Inspection Account.

Nev. Rev. Stat. § 562.470. Board and inspectors to keep record of inspection; contents.

1. The Board and each inspector must keep a record to be known as the inspection record, in which they must enter their official acts.

2. Such records shall show:

(a) The name of the owner of every flock of sheep inspected.

(b) The time when and the place where the same was inspected.

Nev. Rev. Stat. § 562.480. Inspectors' reports to Board.



Inspectors shall report to the Board in writing as often and at such times as may be requested by the Board.

Nev. Rev. Stat. § 562.490. Inspectors' right of entry for inspection and examination.

Inspectors shall have the right at all times to enter any premises, farms, fields, pens, slaughterhouses, buildings, cars, trucks or railroad cars where any sheep are quartered, for the purpose of examining them to determine whether they are infected with any infectious or contagious disease.

Nev. Rev. Stat. § 564.010. Definitions.

As used in this chapter:

1. "Animals" means:
 - (a) All cattle or animals of the bovine species.
 - (b) All horses, mules, burros and asses or animals of the equine species.
 - (c) All swine or animals of the porcine species.
 - (d) All sheep and goats.
 - (e) Alternative livestock as defined in NRS 501.003.
2. "Department" means the State Department of Agriculture.
3. "Director" means the Director of the Department.

Nev. Rev. Stat. § 564.020. Owner may adopt brand or mark; recording; unlawful earmark.

1. Every owner of animals in this State may design and adopt a brand or brands, or brand and mark, or brands and marks, with which to brand or brand and mark his or her animals.
2. It shall be unlawful for any owner of such animals to brand or brand and mark, or cause to be branded or branded and marked, his or her animals with a brand or brand and mark not at the time of legal record as provided in this chapter.
3. It shall be unlawful for any owner of such animals to use an earmark which involves the removal of more than one-half of the ear, measuring from the extreme tip of the ear to the head, or which brings the ear to a point by removing both edges of the ear.



Nev. Rev. Stat. § 564.025. Branding or marking of all animals grazing on open range required; application for temporary use of brand recorded or registered in another state; exception.

1. As used in this section, "open range" means all unenclosed lands outside of cities and towns upon which animals by custom, license, lease or permit are grazed or permitted to roam.
2. Except as otherwise provided in subsection 3, every owner of animals in this State, who permits his or her animals to graze upon the open range, shall design, adopt and record a brand or a brand and mark and shall brand or brand and mark his or her animals as provided in this chapter.
3. Every owner of animals who brings such animals from another state into this State, if the animals have a recorded or registered brand of that other state, and who permits those animals to graze upon the open range, shall apply to the Department for a temporary use of the brand. The application must state the period for which the animals will remain in this State. The Department may grant a temporary use of the brand for a designated period, which may not exceed the period stated in the application, or require a new brand or a brand and mark as required by this section.
4. This section does not apply to animals that are less than 6 months of age.

Nev. Rev. Stat. § 564.030. Powers and duties of Director.

The Director may carry out the provisions of this chapter and, for that purpose, adopt such regulations not inconsistent therewith, and appoint such agents, under his or her direction, as the Director deems necessary therefor. All expenses in connection therewith must be paid from the Livestock Inspection Account, except as otherwise provided in this chapter.

Nev. Rev. Stat. § 564.040. Application for recording of brand or marks.

1. Any owner of animals in this State desiring to adopt and use thereupon any brand, or brand and mark, or marks, as provided for in this chapter shall, before doing so, forward to the Department an application, on a form approved and provided by the Department for that purpose, for the recording of the brand, or brand and mark or marks, and receive a certificate of recordation as provided in this chapter.
2. The application must:
 - (a) Include a drawing, exact except as to size, of the brand, together with any earmarks or other marks desired or intended to be used therewith, and the location upon the animal or animals concerned



where the brand and earmarks or other marks are desired or intended to be used;

(b) Include a statement of the kinds of animals upon which the brand or brand and mark or marks are used or will be used;

(c) Include a statement of the approximate boundaries of that part of the State within which it is intended to use the brand, brand and mark or marks;

(d) Include the full name and address of the applicant; and

(e) Be accompanied by a fee of \$200 for the recording of the brand, or brand and mark, or marks. The fee must not be prorated for any unused portion of the period for which the brand, or brand and mark, or marks are recorded.

3. For the purpose of this chapter, the post office address included in the application must be considered the legal address of the applicant until the Department receives from the applicant, in writing, a notice of the change of the address, the latest address of record with the Department remaining the legal address.

Nev. Rev. Stat. § 564.050. One brand to be awarded or recorded for each owner; brands for separate and distinct livestock units; identical or similar brands; applicability; recording of unlawful earmarks prohibited.

1. Only one brand may be awarded or recorded for each owner of animals, except that the owner or owners of separate and distinct livestock units may, under the provisions of this chapter and within the discretion of the Department, record one brand for use in connection with and for each such distinct and separate livestock unit.

2. No brand may be recorded or used which is identical with or, in the opinion of the Department, so similar to any brand previously recorded and remaining of legal record, or any abandoned brand which has not been abandoned for 1 year, as provided in NRS 564.120, that it may cause confusion as to the identity or ownership of animals, or which may be readily used to obliterate or alter any legally recorded brand that is used in the same area in this State.

3. The provisions of this section do not apply to the rerecording of any brand legally recorded on July 1, 1961, and remaining of legal record in this State under the provisions of this chapter insofar as the legal owners of the brand on July 1, 1961, are concerned, until July 1, 1976, or to brands legally transferred as provided for in NRS 564.110.



4. After July 1, 1959, an earmark may not be recorded which violates the provisions of subsection 3 of NRS 564.020.

Nev. Rev. Stat. § 564.055. Recording of cattle brands.

1. Brands for cattle shall be recorded for use in only two of the following positions:

- (a) The hip on the right-hand side;
- (b) The hip on the left-hand side;
- (c) The shoulder on the right-hand side;
- (d) The shoulder on the left-hand side;
- (e) The rib cage on the right-hand side; or
- (f) The rib cage on the left-hand side.

2. Nothing in this section shall be construed to preclude the use of date brands.

Nev. Rev. Stat. § 564.060. Award of brand upon receipt of application; contents of recording certificate; precedence of applications; refusal or inability of Department to award or record brand.

1. Upon receipt of an application, as set forth in NRS 564.040, the Department shall cause the records of previously recorded brands, remaining of legal record, or not abandoned for more than 1 year as provided in NRS 564.120, to be searched and, if the brand applied for is recordable under the provisions of NRS 564.050, award the brand set forth in the application to the applicant and proceed to record the brand, together with the mark or marks.

2. In the case of any brand awarded after July 1, 1945, the recording certificate issued by the Department must define the area within this State where the brand may be used, and the position on the animal concerned, where it may be applied, and the use of the brand outside that area, or its application to other positions, without the written approval of the Department is unlawful.

3. A brand applied for must not be awarded or recorded until after the lapse of 2 legal business days after the receipt of the application for the brand at the established office of the Department.

4. In all cases where, under the terms of this chapter, the brand or brands and mark or marks applied for cannot legally be awarded by the Department to the applicant, the applicant must promptly be so notified by the Department.



5. Applications for the awarding and recording of brands or brands and marks must take precedence in the chronological order of their receipt at the established office of the Department.

6. The Department may refuse to award or record a brand known to be in use at the time in this State, or in an abutting county of an adjoining state, by a person other than the applicant therefor.

Nev. Rev. Stat. § 564.070. Recording of brands by Department; procedure; certificate to be transmitted to owner; evidentiary effect of certificate.

1. Upon the awarding of a brand or brands as provided in this chapter, the Department shall immediately proceed to record the brand or brands.

2. The recording must consist of the transcribing upon a suitable and permanent record, which is a public record and prima facie evidence of the facts contained in the record, designed and approved by the Department for that purpose, of:

(a) A facsimile, except as to scale, of the brand or brand and mark or marks awarded.

(b) The location upon the animal concerned of the brand or brand and mark or marks as awarded.

(c) The date of application.

(d) The date of award.

(e) The district within which the brand or brands and mark or marks are used or will be used.

(f) The kind of animals upon which the brand or brands and marks are used or will be used.

3. The Department shall promptly cause to be prepared and sent to the person to whom the award is made a certificate containing the same entries as those set forth upon the permanent record of the Department described in subsection 2 and certified to by the Department or its authorized agent. The certificate has the legal status of similar certificates as set forth in NRS 564.090.

Nev. Rev. Stat. § 564.075. Amendment of record of brands and marks; application; form.

1. The owner of a brand or brand and mark or marks whose ownership is recorded by the Department pursuant to NRS 564.070 may apply to the Department to amend the record:



- (a) By changing his or her name as it appears in the record if:
- (1) The owner's name is changed by court order pursuant to an adoption, a divorce, an adjudication of paternity, a petition for a change of name or other legal proceeding;
 - (2) The owner changes his or her name upon marriage;
 - (3) The owner transfers the ownership of the brand or brand and mark or marks to or from a revocable trust of which the owner is a beneficiary;
 - (4) The record shows that the brand or brand and mark or marks is owned by joint tenants with the right of survivorship and the owner is the surviving joint tenant;
 - (5) The owner is a partnership, corporation or other business entity and the change in the name of the owner is the result of a change in the identity or form of the business entity or a transfer of the ownership of the brand, brand and mark or marks to a business entity that has identical common ownership; or
 - (6) The owner applies on the basis of a comparable event, transaction or other occurrence.
- (b) By removing the name of a person who is included in the record in the capacity of a parent or guardian of the owner if the owner was a minor at the time his or her ownership was recorded by the Department and the owner is 18 years of age or older.

2. An application to amend the record pursuant to this section must be:

- (a) On a form provided by the Department; and
- (b) Accompanied by written proof of the event, transaction or other occurrence that is the basis for the application.

3. If the Department determines that the requested amendment to the record does not affect the ownership of a brand or brand and mark or marks or create confusion concerning its ownership, the Department shall:

- (a) Amend the record by changing the name of the owner or removing the name of the parent or guardian of the owner; and
- (b) Provide the owner with an amended certificate of recordation.

Nev. Rev. Stat. § 564.080. Fees.



Except as otherwise provided in this chapter, the Department may establish and collect reasonable fees for:

1. The processing of applications for new brands or new brands and marks, regardless of whether the new brand or new brand and mark is awarded;
2. The recording of instruments transferring ownership of brands or brands and marks;
3. Certificates of recordation or rerecordation of brands or brands and marks;
4. Amending the record of ownership of brands or brands and marks and furnishing amended certificates of recordation; or
5. 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 for purposes of NRS 564.110.

Nev. Rev. Stat. § 564.090. Evidentiary effect of certificates of recordation.

All certificates of recordation of brands or brands and marks furnished by the Department under the provisions of this chapter are prima facie evidence of the ownership of all animals of the kind or kinds and bearing the brand or brands and mark or marks specified and as set forth therein, and those certificates must be taken as evidence of that ownership in all suits of law or in equity, or in any criminal proceedings, if the title to animals in this State is involved or proper to be proved.

Nev. Rev. Stat. § 564.100. Legal status of certificates of rerecordation issued pursuant to 1923 law.

Certificates of rerecordation furnished to the legal owners of brands and marks pursuant to the provisions of section 4 of chapter 26, Statutes of Nevada 1923, shall have the legal status of brand certificates as set forth in NRS 564.090.

Nev. Rev. Stat. § 564.110. Brands and marks subject to transfer; recording of instruments transferring ownership; notice to Department of existence of security agreement, assignment or lien.

1. Any brand or brand and mark or marks awarded and recorded and remaining of record in accordance with the terms of this chapter, including those transferred legally as provided in this section, are the property of the person to whom they stand of record as provided in this chapter and are subject to sale, assignment, transfer, security agreement or lien, devise and descent the same as other personal property.
2. Instruments of writing evidencing the sale, assignment, transfer, security agreement, lien, devise or descent must be in that form, as to



text, signatures, witnesses, acknowledgments or certifications, required by statutes, in the case of the kind of instrument concerned, but the Department may secure such competent legal advice or rulings, and require such supporting evidence as it deems necessary, as to such instruments of writing, being in fact, authentic and in legal form, before approving and recording those instruments of writing as provided in this chapter.

3. Instruments in writing evidencing the transfer of ownership of any brand or brand and mark or marks must, after approval, be recorded in the office of the Department in a book to be provided for that purpose, and are not legally binding until so approved by the Department and recorded. In addition to any other format, the Department shall prepare and maintain the book required by this subsection in an electronic format. The Department may include, in any fee collected by the Department for the recording of the instruments pursuant to NRS 564.080, any costs incurred by the Department in preparing and maintaining the book in an electronic format pursuant to this subsection.

4. The recording of those instruments has the same force and effect as to third parties as the recording of instruments affecting the sale, assignment, transfer, devise or descent of other personal property. The original, or a certified copy of any such instrument, may be introduced in evidence in the same manner as is provided for similar instruments affecting personal property, and the record of the instrument or instruments of transfer, or the transcript thereof certified by the custodian of the record, may be read in evidence without further proof.

5. If any brand or brand and mark or marks of record, in accordance with the provisions of this chapter, becomes the subject of, or is included in, any security agreement, provisional assignment or legal lien, the secured party, provisional assignee or lienholder may notify the Department in writing as to the existence and conditions of the security agreement, provisional assignment or lien. After the receipt of the written notice, the Department shall not transfer the brand or brand and mark or marks, other than to the secured party, provisional assignee or lienholder until there is filed with the Department satisfactory legal evidence that the security agreement, provisional assignment or lien has been legally satisfied and removed.

6. No transfer or change, or partial, joint or complete ownership, of any brand under the provisions of this section:

(a) Grants or recognizes any change in the method or area of its use from that authorized at the time of recording, or subsequent thereto but before the transfer or change of ownership; or



(b) Waives or modifies the rerecording requirements set forth in NRS 564.120.

Nev. Rev. Stat. § 564.115. Transfer of brands and marks upon death of owner.

1. Upon the death of the owner of a brand or brand and mark or marks, the personal representative of the deceased owner, or any other person with the legal authority to act on behalf of the deceased owner, may execute any written instrument and perform any other act required by the Department to transfer the ownership of the brand or brand and mark or marks.
2. A person who wishes to act on behalf of a deceased owner pursuant to this section must provide the Department with written proof of the person's legal authority to act on behalf of the deceased owner.
3. As used in this section, "personal representative" has the meaning ascribed to it in NRS 132.265.

Nev. Rev. Stat. § 564.120. Rerecording of brands and marks: Application; fee; notice; abandonment; certificates; limitation on recording new brands.

1. Any owner of a brand or brand and mark or marks of record under the provisions of this chapter, including brands or marks transferred pursuant to the provisions of NRS 564.110, desiring legally to continue the use of the brand or brand and mark or marks beyond the prescribed dates shall, within 60 days before January 1, 2023, and at the end of each 5-year period thereafter, apply to the Department for the rerecording of the brand or brand and mark or marks.
2. The application must be:
 - (a) Submitted electronically through the Internet website of the Department or in writing on a form provided by the Department; and
 - (b) Accompanied by a rerecording fee of \$200. The fee must not be prorated for any unused portion of the period for which the brand, or brand and mark, or marks are rerecorded.
3. The Department shall notify every owner of a brand or brand and mark or marks of legal record in its office, including owners of brands and marks transferred under the provisions of NRS 564.110, at least 60 days before January 1, 2023, and January 1 at the end of each 5-year period thereafter, of the owner's right to rerecord the brand or brand and mark or marks as provided in this section. At the discretion of the Department unless otherwise requested by an owner, the notice must be sent by electronic mail to each such owner or be sent in writing by mail to each such owner at the owner's last electronic mail address or address of record, as applicable, provided to the



Department by the owner. The notice is complete at the expiration of 60 days after the date of its sending by the Department.

4. The Department may also advertise the approach of any rerecording period in such manner and at such times as it deems advisable.

5. Any brands or brands and marks for the rerecording of which the owners have not applied as provided for in this section by January 1, 2023, or by January 1 of any 5-year period after that date, including all brands and marks of record as transferred as provided in NRS 564.110, shall be deemed abandoned and no longer of legal record as provided for by this chapter. Brands or brands and marks thus abandoned may not be awarded or recorded by the Department to persons other than those persons abandoning the brands or brands and marks until 1 year after the date of the abandonment. The awarding and recording of abandoned brands or brands and marks to any person must be in accordance with the provisions of this chapter.

6. The Department shall furnish the legal owners of any brand or brand and mark or marks rerecorded under the provisions of this section with an electronic copy of a certificate setting forth the fact of the rerecording.

7. No new brands may be recorded during the 60 days of a rerecording period unless, in the opinion of the Director, undue hardship would be caused the applicant.

Nev. Rev. Stat. § 564.130. Brand books and supplements: Issuance by Department; costs.

1. The Department may compile and issue books, and supplements thereto, containing transcripts of part or all of its records of brands and marks, so arranged and indexed as to be suitable for use in identifying any brands or marks which may be found in this State on any animals, or the hides thereof, and used in compliance with the provisions of this chapter.

2. Copies of the brand books and supplements must be made available to any person at a charge to be fixed by the Department, but the charge must not be less than the cost of compilation, publication and issuance.

3. Copies of the brand books or supplements may be furnished by the Department, without charge, to any public officer or other person whose possession of the book or supplements will, in the opinion of the Department, serve to promote the general welfare.

4. In addition to any other format, the Department shall make any copies of the brand books and supplements available pursuant to this section available in an electronic format. The Department may include, in the amount of



any charge fixed by the Department pursuant to subsection 2, any costs incurred by the Department in preparing those copies pursuant to this subsection.

Nev. Rev. Stat. § 564.140. Unlawful to use brand on position on animal or in area other than those authorized; application for change of position, new position or change in area; unlawful to deface or remove recorded brand.

1. It is unlawful for the owner of any legally recorded brand, recorded under the provisions of this chapter, to use the brand on any position, on any animal, or in any area, other than that authorized in writing at the time the brand was recorded, or subsequent thereto, by the Department. The Department may, on the written application of the owner of any legally recorded brand, authorize in writing a change of position or a new position for the application of the brand, or change or enlarge the area in which it may be used, if, in the opinion of the Department, the change in position or area of use will not jeopardize or injure the rights or property of the owner of any other brand remaining of legal record.

2. Any application for a change in position or a new position or a change in the area of use as provided in subsection 1 must set forth a sufficient reason for the change, and the Department may require such supporting evidence for the change as it deems necessary to establish the facts.

3. It is unlawful for any person to obliterate, disfigure, extend, deface or remove from any animal a brand that is recorded pursuant to the provisions of this chapter.

Nev. Rev. Stat. § 564.150. Penalties.

Any person violating any of the provisions of this chapter:

1. Is guilty of a misdemeanor, except that any person who violates the provisions of subsection 3 of NRS 564.140 is guilty of a gross misdemeanor.

2. In addition to any criminal penalty, shall pay to the Department an administrative fine of not more than \$1,000 per violation.

If an administrative fine is imposed pursuant to this section, the costs of the proceeding, including investigative costs and attorney's fees, may be recovered by the Department.

Nev. Rev. Stat. § 565.010. Definitions.

As used in this chapter, unless the context otherwise requires:



1. "Agricultural police officer" means a person appointed by the Director pursuant to NRS 561.225 who has the powers of a peace officer pursuant to NRS 289.290.
2. "Animals" means:
 - (a) All cattle or animals of the bovine species except dairy breed calves under the age of 1 month.
 - (b) All horses, mules, burros and asses or animals of the equine species.
 - (c) All swine or animals of the porcine species.
 - (d) Alternative livestock as defined in NRS 501.003.
3. "Brand inspection" means a careful visual examination of each animal offered for such inspection and a visual examination of any brands, marks or other characteristics thereon.
4. "Department" means the State Department of Agriculture.
5. "Director" means the Director of the Department.

Nev. Rev. Stat. § 565.030. Administration and enforcement by Department.

The Department is designated as the authority to administer, and carry out and enforce the provisions of, this chapter and any regulations adopted pursuant thereto.

Nev. Rev. Stat. § 565.040. Creation of brand inspection districts; animals subject to inspection; adoption and publication of regulations.

1. The Director may declare any part of this State a brand inspection district.
2. After the creation of any brand inspection district as authorized by this chapter, all animals within any such district are subject to brand inspection in accordance with the provisions of this chapter before:
 - (a) Consignment for slaughter within any district;
 - (b) Any transfer of ownership by sale or otherwise; or
 - (c) Removal from the district if the removal is not authorized pursuant to a livestock movement permit issued by the Department or pursuant to NRS 565.095.
3. If a brand inspection district is created by the Department pursuant to the provisions of this chapter, the Director shall adopt regulations defining the boundaries of the district and the fees to be collected for brand inspection



and prescribing such other methods of procedure not inconsistent with the provisions of this chapter as the Director considers necessary.

4. Any regulations adopted pursuant to the provisions of this section must be published at least twice in a newspaper having a general circulation in the brand inspection district created by the regulations, and copies of the regulations must be mailed to all common carriers of record with the Nevada Transportation Authority operating in the brand inspection district. Such publication and notification constitutes legal notice of the creation of the brand inspection district. The expense of advertising and notification must be paid from the Livestock Inspection Account.

Nev. Rev. Stat. § 565.070. Fees for brand inspection.

The Department may levy and collect a reasonable fee for brand inspection as required under the provisions of this chapter. Any fee so levied must be collected in the manner prescribed by the Director.

Nev. Rev. Stat. § 565.090. Removal of animals from brand inspection district without clearance certificate or permit unlawful; notice of contemplated movement; applicability of section; penalty; regulations for permit to move livestock without brand inspection.

1. Except as otherwise provided in subsections 3 and 6 and NRS 565.095, it is unlawful for any person to drive or otherwise remove any animals out of a brand inspection district created under the provisions of this chapter until the animals have been visually inspected and a brand inspection clearance certificate is issued by the Department or a written permit from the Department has been issued authorizing the movement without brand inspection.
2. Any person contemplating the driving or movement of any animals out of a brand inspection district shall notify the Department or an inspector thereof of the person's intention, stating:
 - (a) The place at which it is proposed to cross the border of the brand inspection district with the animals.
 - (b) The number and kind of animals.
 - (c) The owner of the animals.
 - (d) The brands and marks of the animals claimed by each owner and, if they are other than the brands and marks legally recorded in the name of the owner, information concerning the basis for the claim of ownership or legal possession.



(e) The date of the proposed movement across the border of the brand inspection district and the destination of the movement.

(f) If a brand inspection is required, a statement setting forth the place where the animals will be held for brand inspection.

3. The provisions of this section do not apply to animals whose accustomed range is on both sides of the boundary of any brand inspection district but contiguous to that district and which are being moved from one portion of the accustomed range to another merely for pasturing and grazing thereon.

4. Except as otherwise provided in NRS 565.095, the provisions of this section apply at all times to the movement of any animals across the Nevada state line to any point outside of the State of Nevada, except animals whose accustomed range is on both sides of the Nevada state line but contiguous thereto and which are being moved from one portion to another of the accustomed range merely for pasturing and grazing thereon.

5. In addition to the penalty imposed in NRS 565.170, a person who violates the provisions of subsection 1 is:

(a) For the first violation, subject to an immediate brand inspection of the animals by the Department and shall reimburse the Department for its time and mileage and pay the usual fees for the brand inspection.

(b) For the second and any subsequent violation, ineligible for a permit to move any livestock without a brand inspection until the State Board of Agriculture is satisfied that any future movement will comply with all applicable statutes and regulations.

6. The Department may establish regulations specifying the circumstances under which a permit may be issued authorizing the movement of livestock without a brand inspection pursuant to this section. The circumstances may include, without limitation, the routine movement of horses and bulls within and from this State for the purpose of participating in a rodeo.

Nev. Rev. Stat. § 565.095. Transportation of saddle horse without brand inspection or livestock movement permit.

1. Any person who resides in a state which does not require the use or inspection of a brand for a horse in that state may transport a saddle horse owned by that person into and from this State without a brand inspection or livestock movement permit issued by the Department. Any saddle horse transported pursuant to this section must not remain in this State for more than 15 days or any shorter period specified by the Department and must not be transported into or from this State more than once during that



period. Upon request by the Department, a person who transports a saddle horse pursuant to this section shall present to the Department a certificate of health for the saddle horse and a bill of sale or other proof of ownership of the saddle horse required by the Department.

2. As used in this section, "saddle horse" means any horse which is ridden or otherwise used by a person while competing or participating in a rodeo, horse show or other contest of skill in this State other than a bucking event at that rodeo, horse show or contest of skill.

Nev. Rev. Stat. § 565.100. Unlawful to consign for slaughter, slaughter or transfer ownership within brand inspection district without visual inspection and issuance of clearance certificate.

It is unlawful for any person to consign for slaughter, or slaughter at an approved plant, or transfer ownership of any animals by sale or otherwise within any brand inspection district created under the provisions of this chapter, until the animals have been visually inspected by an inspector of the Department and a brand inspection clearance certificate issued covering the animals.

Nev. Rev. Stat. § 565.110. Assembly and holding of animals for brand inspection.

Except as otherwise provided in NRS 565.090, a person intending to move, drive, ship or transport by common carrier, or otherwise, any animals out of any brand inspection district created under the provisions of this chapter shall assemble and hold them at some convenient and adequate place for such brand inspection as may be required until the animals have been visually inspected and released as provided for in this chapter.

Nev. Rev. Stat. § 565.120. Brand inspection clearance certificate; Issuance upon completion of inspection; contents; disposition of copies of certificate.

1. Upon the completion of brand inspection, the inspector of the Department shall, except as otherwise provided in this chapter, issue a brand inspection clearance certificate on which must be entered:

- (a) The name and address of the person claiming to own the animals.
- (b) The proposed destination of the animals.
- (c) The name and address of the consignee.
- (d) A full description of all the animals inspected, including the number, kind, sex, age, color and the brands or brands and marks thereon.
- (e) The amount of the inspection fee or fees collected.



- (f) The signature of the owner or the owner's authorized agent.
- 2. One copy of the brand inspection certificate must be delivered to the common carrier undertaking to transport the animals out of the brand inspection district for attachment to its waybill, or to the person intending to drive, move or otherwise transport the animals out of the brand inspection district other than by common carrier to accompany the animals to destination, and one copy must be immediately forwarded to the office of the Department.

Nev. Rev. Stat. § 565.125. Seizure of privately owned animals by governmental entity: Approval by court; submission of court order to Department; exception.

- 1. Notwithstanding any provision of this chapter to the contrary, if a governmental entity seizes any privately owned animals subject to brand inspection pursuant to this chapter, the Department or its authorized inspector shall not issue brand inspection clearance certificates or permits to remove the animals from a brand inspection district or for the transfer of ownership of the animals by sale or otherwise unless:
 - (a) Before the seizure, the governmental entity obtains approval for the seizure from a court of competent jurisdiction; and
 - (b) The governmental entity submits a copy of the order approving the seizure to the Department or its authorized inspector.
- 2. The provisions of this section do not apply to:
 - (a) An estray, as defined in NRS 569.0075;
 - (b) Feral livestock, as defined in NRS 569.008;
 - (c) A wild horse or burro, as defined in 16 U.S.C. § 1332;
 - (d) An animal that is impounded or sold by the Department pursuant to NRS 575.060; or
 - (e) An animal that is seized by a governmental entity to protect the health and safety of the public or to prevent cruelty to animals.

Nev. Rev. Stat. § 565.130. Refusal to issue certificate or permit: Grounds; duty of Department and inspector to prevent unlawful removal of animals.

- 1. The Department or its authorized inspector shall refuse to issue brand inspection clearance certificates or permits to remove animals from a brand inspection district without brand inspection as provided in this chapter, subject to brand inspection under the provisions of this chapter, not



bearing brands or brands and marks of legal record in the name of the person claiming lawful possession of and applying for inspection of the animals, until satisfactory evidence of the right to legal possession of the animals and shipment or removal from the brand inspection district has been supplied to the Department or its authorized inspector.

2. The Department and its authorized inspector shall use all due vigilance to prevent the unlawful removal by any person of any animals from any brand inspection district created under the provisions of this chapter.

Nev. Rev. Stat. § 565.140. Inspector to give notice to agricultural police officer upon finding animals in possession of person who cannot establish legal ownership; contents of notice; investigation of findings.

1. Whenever, incident to any brand inspection under the provisions of this chapter, any inspector shall find in the possession of any person or persons offering animals for inspection any animals to which such person or persons cannot establish their legal ownership or right of possession and the inspector shall be able to determine by means of the brands or brands and marks on such animal or animals, or upon other reliable evidence, the actual legal owner or owners of such animal or animals, the inspector shall immediately notify an agricultural police officer of the inspector's findings.

2. The inspector shall include in such notice:

(a) The date and place where such animal or animals were found.

(b) A full description of the same.

(c) The name and address of any person or persons in whose possession they were found.

(d) All other information which may aid the agricultural police officer or the legal owner or owners of such animal or animals in securing the return thereof or compensation therefor, or in any civil suit or criminal prosecution relating thereto.

3. Upon receipt of the notice, the agricultural police officer shall investigate the findings of the inspector and, as soon as practicable, provide notification of those findings to the legal owner or owners of such animal or animals.

Nev. Rev. Stat. § 565.150. Seizure and disposal of animals by agricultural police officer when legal ownership cannot be determined by inspector.

1. Whenever, incident to any brand inspection under the provisions of this chapter, any inspector shall find in the possession of any persons



offering animals for inspection any animals to which such person or persons cannot establish their legal ownership or right to possession, and the inspector shall be unable to determine by means of the brands or brands and marks on such animals, or otherwise, the actual legal owners of the animals, or, if in the judgment of the inspector such action is necessary to safeguard the legal owners of the animals, if known to the inspector, against their loss, the inspector shall immediately notify an agricultural police officer. The agricultural police officer shall seize and take possession of such animals and proceed to dispose of the same, under the provisions of NRS 569.010 or 569.040 to 569.130, inclusive.

2. Such seizure and disposal by an agricultural police officer shall in no way relieve the persons in whose possession the animals were found of any civil or criminal liability arising out of the unlawful removal of such animals from the grazing commons or the unlawful possession of the same.

Nev. Rev. Stat. § 565.155. Enforcement of chapter.

In addition to enforcing the provisions of this chapter through its agricultural police officers, the Department may:

1. Authorize other peace officers to enforce the provisions of this chapter; and
2. Adopt regulations specifying the procedures for the enforcement of the provisions of this chapter by agricultural police officers and other peace officers.

Nev. Rev. Stat. § 565.160. Right of Department to inspect animals under other laws unaffected.

The provisions of this chapter do not affect the right of the Department conferred by any other law to inspect any animals for the determination of the ownership thereof, or for any other purpose under the provisions of any such other law.

Nev. Rev. Stat. § 565.170. Penalties.

Any person violating any of the provisions of this chapter:

1. Is guilty of a misdemeanor, and upon conviction thereof shall be punished as provided by law.
2. In addition to any criminal penalty, shall pay to the Department an administrative fine of not more than \$1,000 per violation.

If an administrative fine is imposed pursuant to this section, the costs of the proceeding, including investigative costs and attorney's fees, may be recovered by the Department.



Nev. Rev. Stat. § 566.015. “Department” defined.

As used in this chapter, "Department" means the State Department of Agriculture.

Nev. Rev. Stat. § 566.025. Conditions authorizing possession of carcass of bovine animal.

1. It is unlawful for any person to have in his or her possession all or part of the carcass of any bovine animal unless:

(a) The animal was slaughtered at a slaughtering establishment under a United States Government, state, county or municipal inspection system which provides for adequate stamping for identification of all carcasses or parts of carcasses before release; or

(b) The person exhibits to any inspector or agricultural police officer of the Department, on demand:

(1) The hide of the animal from which the carcass was obtained, with ears and brands attached without disfiguration or alteration; or

(2) A certificate of inspection or release of the carcass, or of the carcass and hide, issued by an inspector of the Department.

2. As used in this section, "agricultural police officer" means a person appointed by the Director of the Department pursuant to NRS 561.225 who has the powers of a peace officer pursuant to NRS 289.290.

Nev. Rev. Stat. § 566.045. Penalties.

Any person who violates any of the provisions of this chapter is guilty of a gross misdemeanor and, in addition to any criminal penalty, shall pay to the Department an administrative fine of not more than \$1,000 per violation. If an administrative fine is imposed pursuant to this section, the costs of the proceeding, including investigative costs and attorney's fees, may be recovered by the Department.

