

LEGISLATURE OF NEBRASKA  
ONE HUNDRED NINTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 646**

Introduced by Ibach, 44; Clouse, 37; DeKay, 40; Hansen, 16; Holdcroft,  
36; Jacobson, 42; Kauth, 31; Lonowski, 33; McKeon, 41;  
Raybould, 28; Storm, 23.

Read first time January 22, 2025

Committee: Agriculture

- 1 A BILL FOR AN ACT relating to the Livestock Brand Act; to amend sections
- 2 54-170, 54-171, and 54-1,119, Reissue Revised Statutes of Nebraska;
- 3 to define a term; to provide for exempt feedlots; to provide for a
- 4 fee; to provide powers and duties for the Nebraska Brand Committee;
- 5 to harmonize provisions; and to repeal the original sections.
- 6 Be it enacted by the people of the State of Nebraska,

1           **Section 1.** Section 54-170, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           54-170 Sections 54-170 to 54-1,131 and sections 3 to 5 of this act  
4 shall be known and may be cited as the Livestock Brand Act.

5           **Sec. 2.** Section 54-171, Reissue Revised Statutes of Nebraska, is  
6 amended to read:

7           54-171 For purposes of the Livestock Brand Act, the definitions  
8 found in sections 54-171.01 to 54-190 and section 3 of this act shall be  
9 used.

10          **Sec. 3.** Exempt feedlot means a feedlot that is exempt from brand  
11 inspections or audits.

12          **Sec. 4.** (1) Any registered feedlot existing on the effective date  
13 of this act shall be an exempt feedlot unless such feedlot requests to  
14 the Nebraska Brand Committee to remain a registered feedlot. Any such  
15 registered feedlot shall have one hundred twenty days from the passage of  
16 this bill to submit an exemption form to the brand committee. The brand  
17 committee shall send an exemption certificate to the feedlot within  
18 fifteen days of receiving the exemption form.

19          (2)(a) Any person who operates a cattle feeding operation located  
20 within the brand inspection area that is not designated as an exempt  
21 feedlot under subsection (1) of this section may apply to the brand  
22 committee for designation as an exempt feedlot.

23          (b) The application form shall be prescribed by the brand committee  
24 and shall be made available by the executive director of the brand  
25 committee for this purpose upon written request.

26          (c) A properly completed application shall:

27          (i) Include the applicant's social security number or tax  
28 identification number;

29          (ii) Include contact information required by the brand committee;  
30 and

31          (iii) Be accompanied by a fee of five hundred dollars.

1       (d) Within thirty days after the brand committee has received a  
2 properly completed application, an agent of the brand committee shall  
3 investigate and determine if the applicant satisfies the following  
4 requirements:

5       (i) The operator's feedlot is permanently fenced;

6       (ii) The operator commonly feeds cattle to finish for slaughter;

7       (iii) All cattle to be fed in the lot are separated by ownership;

8       (iv) The operator submits to a background check;

9       (v) The operator presents a current credit check; and

10       (vi) There is nothing in the background check or credit check that  
11 would cause the brand committee to deny the exemption designation  
12 application.

13       (e) If the application is satisfactory to the brand committee, the  
14 brand committee shall issue an exemption number and exemption  
15 certification, which shall remain valid unless rescinded for cause. If  
16 the exemption is rescinded for cause, any registration fee shall be  
17 forfeited by the applicant.

18       **Sec. 5.** (1) There shall be no brand inspections, audits, or fees  
19 for the cattle coming into any exempt feedlot.

20       (2) There shall be no brand inspections, audits, or fees on cattle  
21 leaving any exempt feedlot if the cattle are going directly from the  
22 exempt feedlot to slaughter.

23       **Sec. 6.** Section 54-1,119, Reissue Revised Statutes of Nebraska, is  
24 amended to read:

25       54-1,119 (1) Any livestock market, whether within or outside of the  
26 state, or any meat packing plant that ~~which~~ maintains brand inspection  
27 under the supervision of the Nebraska Brand Committee and under such  
28 rules and regulations ~~as are~~ specified by the United States Department of  
29 Agriculture, may be designated by the brand committee as an open market.

30       (2)(a) (2) When cattle originating from within the brand inspection  
31 area are consigned for sale to any commission company at any open market

1 designated as such by the Nebraska Brand Committee where brand inspection  
2 is maintained, no brand inspection is required at the point of origin but  
3 is required at the point of destination unless the point of origin is a  
4 registered feedlot.

5 (b) If cattle are consigned to a commission company at an open  
6 market, the carrier transporting the cattle shall not allow the owner,  
7 shipper, or party in charge to change the billing to any point other than  
8 the commission company at the open market designated on the original  
9 billing, unless the carrier secures from the brand committee a  
10 certificate of inspection on the cattle so consigned.

11 (c) Any cattle originating in a registered feedlot consigned to a  
12 commission company at any terminal market destined for direct slaughter  
13 may be shipped in accordance with rules and regulations governing  
14 registered feedlots.

15 (d) Any cattle originating in an exempt feedlot destined for direct  
16 slaughter shall not be subject to any brand inspection, audit, or fee.

17 (3) Until the cattle are inspected for brands on the premises by the  
18 Nebraska Brand Committee, no person shall sell or cause to be sold or  
19 offer for sale any cattle:

20 (a) ~~At any cattle at~~ a livestock auction market located within the  
21 brand inspection area or at a farm or ranch sale located within the brand  
22 inspection area; or

23 (b) Originating any cattle originating within the brand inspection  
24 area consigned to an open market.

25 **Sec. 7.** Original sections 54-170, 54-171, and 54-1,119, Reissue  
26 Revised Statutes of Nebraska, are repealed.