

SB 1019-1  
(LC 1697)  
2/17/25 (AG/ps)

Requested by Senator NASH

**PROPOSED AMENDMENTS TO  
SENATE BILL 1019**

1 On page 1 of the printed bill, delete lines 7 through 27 and delete pages  
2 2 through 11 and insert:

3

4

**“BRAND PROGRAM FEES**

5

6 **“SECTION 1.** ORS 604.027 is amended to read:

7 “604.027. (1) A person desiring to record a brand on any species of live-  
8 stock shall submit a written and signed application therefor to the State  
9 Department of Agriculture, setting forth a facsimile and description of the  
10 brand, the species of livestock upon which it will be used and the specific  
11 intended location on the animal. The application must be accompanied by a  
12 brand recording fee of \$25 for each brand on each species of livestock on  
13 which the brand is to be used. The person must also pay an activation fee  
14 matching the cycle set for the approved brand under subsection (4) of this  
15 section prior to recordation of the brand. The activation fee may not exceed  
16 [~~\$100~~] **\$200**. Upon receipt of an application and the required fees, if the de-  
17 partment determines that the brand applied for is available, the department  
18 shall issue a certificate of recordation of the distinctive brand, the approved  
19 location on the animal and the species of livestock to which it applies.

20 “(2) During September of each year the department shall attempt to notify  
21 all holders of an expiring recorded brand of the need to renew the brand.

1 The department shall attempt the notification by sending a renewal notice  
2 to the holder's last address as shown on the department's records. The holder  
3 of a recorded brand may renew the brand by submitting to the department  
4 a brand renewal fee for each brand on each species of livestock on which the  
5 brand is to be used. The brand renewal fee may not exceed \$100. However,  
6 if the species of livestock is sheep, the fee may not exceed \$50.

7 “(3) A recorded brand expires if the department does not receive the brand  
8 renewal fee by January 4 next following the attempt to notify the brand  
9 holder of the need to renew the brand. Within 60 days after a brand expires,  
10 the department shall give written notice of the expiration by mail addressed  
11 to the person who held the expired brand at the last address shown on the  
12 department's records. The fee to activate an expired brand is equal to the  
13 brand recording fee plus a renewal fee. If the person fails to activate the  
14 expired brand within one year after expiration of the brand, the brand is  
15 considered abandoned and any person may apply for recordation and use of  
16 that brand.

17 “(4) When issuing or renewing a brand recordation, the department shall  
18 adjust certificate expiration dates as necessary to ensure that an approxi-  
19 mately equal number of brand recordation expire in each year of a four-year  
20 cycle. The department shall prorate a brand renewal fee to reflect an ad-  
21 justment of a certificate expiration date.

22 “(5) The department shall establish the amount of brand activation fees  
23 and brand renewal fees by rule.

24 **“SECTION 2.** ORS 604.066 is amended to read:

25 “604.066. (1) Except as provided in subsection (2) of this section, the State  
26 Department of Agriculture shall charge and collect a brand inspection fee  
27 in accordance with the following:

28 “(a) \$30 for a lifetime brand inspection for Equidae;

29 “(b) \$10 per head for a brand inspection for Equidae, if the brand in-  
30 spection certificate utilized is valid for more than eight days but less than

1 a lifetime; or

2 “(c) \$10 per head for a brand inspection on livestock other than Equidae,  
3 if the brand inspection certificate utilized is valid for more than eight days.

4 “(2) In accordance with the provisions of ORS chapter 183, the department  
5 shall establish a brand inspection fee on cattle and cattle hides for which a  
6 brand inspection certificate is valid for eight days. The fee shall be not less  
7 than \$1 and not more than [~~\$1.35~~] **\$1.75** per head of cattle and not more than  
8 \$2 per hide.

9 “(3) Except as provided in this subsection or subsection (4) of this section,  
10 the person requesting or requiring brand inspection to be performed shall  
11 pay the State Department of Agriculture a brand inspection fee and the as-  
12 sessments authorized under ORS 577.512. Livestock auction markets,  
13 slaughterhouses and custom slaughtering establishments at which brand in-  
14 spection is performed shall collect the fees and assessments and forward  
15 them to the department. The person requesting or requiring brand inspection  
16 for cattle delivered to a livestock auction market is not required to pay a  
17 brand inspection fee on cattle whose value is \$10 or less. The person re-  
18 questing or requiring brand inspection is not required to pay a brand in-  
19 spection fee on cattle not more than 90 days of age that are to be transported  
20 with their mothers to a range or pastureland outside of this state.

21 “(4) The person requesting or requiring brand inspection is not required  
22 to pay a brand inspection fee or pay assessments when Oregon cattle are  
23 being transported from any place in this state to any place outside of this  
24 state and then returned to this state, if the movement is continuous without  
25 unloading enroute, is done in the usual course of ranch operations and is  
26 not related to a change of ownership.

27 “(5) Except as provided in ORS 577.512, the department shall deposit all  
28 fees paid to it under this chapter in the State Treasury to the credit of the  
29 Department of Agriculture Service Fund, and such fees are continuously ap-  
30 propriated to the department for administering and enforcing this chapter.

1 The provisions of ORS 561.144 apply to such fees.

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3

### “DAIRY CATTLE EXEMPTION

4

5 “**SECTION 3.** ORS 604.046 is amended to read:

6 “604.046. (1) Brand inspection and the issuance of a brand inspection  
7 certificate is required in this state for:

8 “(a) Cattle to be transported from any place in this state to or through  
9 any place outside of this state;

10 “(b) Cattle to be transported from any place in this state to a range or  
11 pastureland outside of this state and destined to be ultimately returned to  
12 this state;

13 “(c) Except as provided in subsection [(5)(b)] **(6)(b)** of this section, cattle  
14 destined for sale or slaughter at any livestock auction market or other sales  
15 facility or slaughterhouse in this state, and prior to such sale or slaughter;  
16 and

17 “(d) Except as provided in subsection [(5)(a)] **(6)(a)** of this section, cattle  
18 transported from any place outside of this state to any livestock auction  
19 market or other sales facility or slaughterhouse in this state for sale within  
20 this state.

21 “(2) Brand inspection may be performed, upon request of the owner or  
22 person in possession of livestock, at either a regular brand inspection lo-  
23 cation or a place designated by the person requesting the brand inspection.  
24 The State Department of Agriculture may require payment of its time and  
25 travel costs as a condition to performing the brand inspection. The depart-  
26 ment may also assess and collect a service fee, not to exceed \$35.

27 “(3) In addition to brand inspections under subsections (1) and (2) of this  
28 section, the department may establish and carry out a system of brand in-  
29 spection at the times and places as an intrastate, regional movement of cattle  
30 takes place, or as a change of ownership takes place. In establishing any

1 system authorized by this subsection, the department shall consider the cus-  
2 toms, practices and theft or ownership problems of the cattle industry, the  
3 economic feasibility of carrying out a system, the volume of cattle movement  
4 within the state or within specific areas of the state, the laws and regu-  
5 lations of the United States and the desirability for a system as evidenced  
6 by a majority of persons who would be affected by the system. Such a system,  
7 established in accordance with the provisions of ORS chapter 183, may in-  
8 clude:

9 “(a) That the brand inspection may be in addition to or in lieu of other  
10 brand inspections required or allowed by this chapter and the circumstances  
11 or conditions under which the alternatives shall be allowed;

12 “(b) The times and places the brand inspection shall take place in relation  
13 to the time of movement or location change, or the change of ownership;

14 “(c) The establishment of a brand inspection fee and the person responsi-  
15 ble for payment thereof;

16 “(d) The establishment of geographic, regional or political areas within  
17 the state in which brand inspection is required; and

18 “(e) The circumstances or conditions under which an exemption from or  
19 modification of the system’s requirements may be allowed, considering their  
20 feasibility in relation to movement or sale of minimum numbers of cattle.

21 **“(4) Notwithstanding subsections (1) to (3) of this section, dairy**  
22 **cattle, as defined in ORS 599.205, are not subject to the provisions of**  
23 **subsections (1) to (3) of this section or rules adopted thereunder.**

24 “[4] (5) In addition to brand inspections under subsections (1) to (3) of  
25 this section, the department may inspect any hides or livestock at any time,  
26 and at any public or private place, building or livestock carrier, if there is  
27 a need to identify diseased or suspected diseased livestock, or if the depart-  
28 ment reasonably suspects that any provisions of this chapter, the adminis-  
29 trative rules adopted under this chapter or any criminal laws relating to the  
30 possession of livestock, are being violated. This authority is in addition to

1 any authority granted police officers, the department's brand inspectors,  
2 livestock police officers and investigative officers under ORS 133.525 to  
3 133.703 relating to search and seizures. The department may undertake any  
4 of the actions described in ORS 604.056 (1) if:

5 “(a) An inspection results in a finding that a brand inspection certificate  
6 accompanying the hides or livestock is false, erroneous or incomplete in any  
7 material respect;

8 “(b) There is a question whether the person in possession of the hides or  
9 livestock is the owner or a lawful possessor; or

10 “(c) The person in possession of the livestock fails to submit evidence  
11 requested under ORS 604.051 (1).

12 “[5] (6) In lieu of the brand inspection and the issuance of a brand in-  
13 spection certificate required by subsection (1) of this section:

14 “(a) Cattle that are transported to any slaughterhouse in this state from  
15 any place outside this state, if entering this state may be accompanied by a  
16 brand inspection certificate or similar document issued by the other state,  
17 provided that such other state has brand inspection comparable to the in-  
18 spection of this state; or

19 “(b) Cattle, in lots not to exceed 15 head, presented by one person for  
20 slaughter at a slaughterhouse may be accompanied by a special  
21 slaughterhouse certificate issued by the department for which a fee, equal  
22 to the brand inspection fee established by the department under ORS 604.066  
23 (2), has been paid.

24 “[6] (7) Brand inspection at slaughtering establishments or other facili-  
25 ties where cattle are slaughtered or cattle hides are received, may be re-  
26 quired of cattle hides under a system established by the department in  
27 accordance with the provisions of ORS chapter 183. In establishing any sys-  
28 tem authorized by this subsection, the department shall consider theft or  
29 ownership problems associated with slaughtered cattle, the economic feasi-  
30 bility of carrying out the system, the attitudes of the affected members of the

1 cattle industry of this state, the volume of slaughtered cattle within the state  
2 or within specific areas of the state, and the laws and regulations of the  
3 United States. Any system established under this subsection may include:

4 “(a) The designation of geographic, regional or political areas within the  
5 state in which cattle hide inspection is required;

6 “(b) The use of tags, stamps or other devices evidencing ownership of the  
7 cattle slaughtered; and

8 “(c) The methods, locations and times for cattle hide inspection.

9 “[7] (8) By written agreement with the appropriate agencies in the  
10 States of California, Nevada, Idaho or Washington, the department may rec-  
11 ognize brand inspections performed in any of such other states in lieu of the  
12 brand inspections required by this chapter. Any such agreement shall provide  
13 that recognition of brand inspections of any such other state shall be effec-  
14 tive only while brand inspections performed pursuant to this chapter are  
15 recognized in such other state.

16 **“SECTION 3a.** ORS 604.051 is amended to read:

17 “604.051. (1) Whenever livestock or hides are subject to brand inspection  
18 under ORS 604.046, the person in possession shall submit evidence of own-  
19 ership or right to possession of the livestock or hides at the request of the  
20 State Department of Agriculture. The evidence may consist of any documents  
21 and statements that tend to establish such ownership or right to possession.  
22 The prima facie character of a recorded brand and the disputable  
23 presumption against unrecorded brands set forth in ORS 604.035 (2), shall be  
24 given recognition by the department.

25 “(2) The department shall examine livestock or hides, review any evidence  
26 submitted pursuant to subsection (1) of this section and otherwise perform  
27 brand inspection to determine whether the person in possession is the owner  
28 or lawful possessor thereof. Except for brand inspections made under ORS  
29 604.046 [(4)] (5), if the department determines the person is the owner or  
30 lawful possessor, it shall issue an appropriate brand inspection certificate.

1 However, if the department determines there is a question of ownership or  
2 right to possession of the livestock or hides, or if the person in possession  
3 of the livestock or hides fails to submit the evidence requested under sub-  
4 section (1) of this section, the department shall refuse to issue its brand in-  
5 spection certificate and may undertake any of the actions described in ORS  
6 604.056.

7  
8 **“DELAYED REPEAL OF BRAND PROGRAM**

9  
10 **“SECTION 4. ORS 577.532, 599.273, 603.075, 604.005, 604.015, 604.021,**  
11 **604.027, 604.035, 604.036, 604.041, 604.046, 604.051, 604.056, 604.061, 604.066,**  
12 **604.071, 604.076, 604.610, 604.640 and 604.650 are repealed.**

13 **“SECTION 5. (1) As used in this section:**

14 **“(a) ‘Brand’ means a distinctive design, mark or other means of**  
15 **identification applied to a designated location of the hide, wool or skin**  
16 **of livestock.**

17 **“(b) ‘Brand inspection’ means the:**

18 **“(A) Examination of the brands, tags, breed, flesh marks including**  
19 **dewlaps and wattles, earmarks, coloring, sex, age or other distin-**  
20 **guishing characteristics of livestock;**

21 **“(B) Examination of documents and other evidence of ownership**  
22 **or right to possession of livestock; and**

23 **“(C) Issuance or refusal to issue a brand inspection certificate.**

24 **“(2) A county may establish a brand program under which brand**  
25 **inspections occur.**

26 **“SECTION 6. ORS 604.620 is amended to read:**

27 **“604.620. [(1) No person shall be entitled to utilize the brand inspection and**  
28 **inventory procedures prescribed in ORS 604.630 to 604.650 and 604.670 without**  
29 **first obtaining and maintaining a license as a licensed feedlot.]**

30 **“(1) As used in this section and ORS 604.630, ‘feedlot’ means a beef**



1 **cattle feedlot that has more than 500 head of cattle being fed for**  
2 **slaughter at one time during a calendar year.**

3 **“(2) A feedlot may operate only with a license under this section.**

4 “[2] (3) An application for a license or renewal thereof shall be made  
5 to the State Department of Agriculture on forms prescribed by the depart-  
6 ment, and shall be accompanied by the annual license fee, not to exceed \$100.  
7 The license is personal and nontransferable. A new license is required at any  
8 time there is a change in ownership, legal entity or establishment location.  
9 All such licenses shall expire on January 1 next succeeding the date of is-  
10 suance or on such date as may be specified by department rule.

11 “[3] (4) In accordance with the provisions of ORS chapter 183, the de-  
12 partment may suspend, revoke or refuse to issue or renew a license to any  
13 applicant or licensee whose establishment construction or methods of opera-  
14 tion do not comply with the requirements established by the department.

15 **“SECTION 7.** ORS 604.630 is amended to read:

16 “604.630. (1) At the time a license is issued **to a feedlot under ORS**  
17 **604.620**, the State Department of Agriculture and the licensee shall jointly  
18 make and record a physical inventory of all cattle in the feedlot of the  
19 licensee.

20 **“(2)** Thereafter, such inventory record shall be maintained by the licensee  
21 and shall be subject to review or audit by the department at any time during  
22 the normal business hours of the licensee at least once a month for the  
23 purpose of reconciling the same with the records of the department.

24 **“SECTION 8.** ORS 604.670 is amended to read:

25 “604.670. The State Department of Agriculture, under the provisions of  
26 ORS chapter 183, may promulgate such rules as are necessary to administer  
27 and enforce the provisions of ORS [604.610 to 604.670] **604.620 and 604.630**,  
28 including but not limited to:

29 **“(1)** The time and manner of maintaining inventory records; and

30 **“(2)** Controls and minimum standards of construction and methods of op-

1 eration by licensees.

2 **“SECTION 9.** ORS 604.992 is amended to read:

3 “604.992. [(1)] Violation of any of the provisions of this chapter, or the  
4 administrative rules or orders promulgated thereunder, is a Class B  
5 misdemeanor.

6 “[*(2) Notwithstanding ORS 14.030 to 14.080, an action for violation of brand*  
7 *inspection requirements may be commenced and tried in either the county*  
8 *where the cattle movement originated or the county where the cattle movement*  
9 *terminated.*]

10 **“SECTION 10.** Section 5 of this 2025 Act, the amendments to ORS  
11 **604.620, 604.630, 604.670 and 604.992 by sections 6 to 9 of this 2025 Act**  
12 **and the repeal of ORS 577.532, 599.273, 603.075, 604.005, 604.015, 604.021,**  
13 **604.027, 604.035, 604.036, 604.041, 604.046, 604.051, 604.056, 604.061, 604.066,**  
14 **604.071, 604.076, 604.610, 604.640 and 604.650 by section 4 of this 2025 Act**  
15 **become operative on January 2, 2028.**

16

17 **“CONFORMING AMENDMENTS FOR DELAYED REPEAL**

18

19 **“SECTION 11.** ORS 114.535 is amended to read:

20 “114.535. (1) The affiant may deliver a certified copy of a simple estate  
21 affidavit to any person who has possession of personal property belonging  
22 to the estate or who was indebted to the decedent. Except as provided in this  
23 section, upon receipt of the certified copy, the person shall pay the debt or  
24 transfer, deliver, provide access to and allow possession of the personal  
25 property to the affiant.

26 “(2) Subject to ORS 114.537, if a certified copy of a simple estate affidavit  
27 is delivered under subsection (1) of this section to a person that controls  
28 access to personal property belonging to the estate of the decedent, including  
29 personal property held in a safe deposit box for which the decedent was the  
30 sole lessee or the last surviving lessee, the person shall:

1       “(a) Provide the affiant with access to the decedent’s personal property;  
2 and

3       “(b) Allow the affiant to take possession of the personal property.

4       “(3) Subject to ORS 114.537, if a certified copy of a simple estate affidavit  
5 is delivered under subsection (1) of this section to a person who owes a debt  
6 to the decedent or has received property of the decedent under ORS 446.616,  
7 708A.430, 723.466 or 803.094, or a similar statute providing for the transfer  
8 of property of an estate that is not being probated, the person shall pay the  
9 debt or transfer, deliver, provide access to or allow possession of the prop-  
10 erty to the affiant if the person would be required to pay the debt or transfer,  
11 deliver, provide access to or allow possession of the property to a personal  
12 representative of the estate.

13       “(4) Any person that pays a debt owing to the decedent or transfers, de-  
14 livers, provides access to or allows possession of property of a decedent in  
15 the manner provided by this section is discharged and released from any li-  
16 ability or responsibility for the debt or property in the same manner and  
17 with the same effect as if the debt had been paid or the property had been  
18 transferred or delivered to a personal representative of the estate of the  
19 decedent.

20       “(5) The affiant may deliver a certified copy of a simple estate affidavit  
21 to a transfer agent of any corporate security registered in the name of the  
22 decedent. The transfer agent shall change the registered ownership on the  
23 books of the corporation to the affiant or the person named in the affidavit  
24 entitled to it, as directed by the affiant.

25       “(6) If the decedent was a holder of a recorded brand, the affiant may  
26 deliver a certified copy of a simple estate affidavit to the State Department  
27 of Agriculture. [*Subject to the requirements under ORS 604.041,*] The depart-  
28 ment shall change the registered ownership of the recorded brand to the  
29 affiant or the person named in the affidavit entitled to it, as directed by the  
30 affiant.

1 “(7)(a) If a person to whom a certified copy of a simple estate affidavit  
2 is delivered under this section refuses to pay a debt or deliver, transfer,  
3 provide access to or allow possession of personal property as required by this  
4 section, the affiant may serve a written demand by certified mail on the  
5 person to pay the debt or deliver, transfer, provide access to or allow pos-  
6 session of the personal property. The demand must state that, if the person  
7 fails to pay the debt or deliver, transfer, provide access to or allow pos-  
8 session of the personal property, the affiant may file a motion to compel  
9 payment of the debt or delivery of, transfer of or access to the personal  
10 property.

11 “(b) If the person fails to pay the debt or deliver, transfer, provide access  
12 to or allow possession of the personal property within 30 days after service  
13 of a demand under paragraph (a) of this subsection, the affiant may file a  
14 motion to compel payment of the debt or delivery of, transfer of or access  
15 to the personal property. The court may enter a judgment awarding reason-  
16 able attorney fees to the prevailing party if the court finds that the affiant  
17 filed the motion without an objectively reasonable basis or the person re-  
18 fused to pay the debt or deliver, transfer, provide access to or allow pos-  
19 session of any personal property without an objectively reasonable basis.

20 “(8) If a simple estate affidavit was signed by the Director of Human  
21 Services, the Director of the Oregon Health Authority or an attorney ap-  
22 proved under ORS 114.517, the Director of Human Services, the Director of  
23 the Oregon Health Authority or the attorney may certify a copy of the affi-  
24 davit for the purposes described in this section.

25 “(9) Notwithstanding ORS chapters 270, 273 and 274, an estate adminis-  
26 trator of the State Treasurer appointed under ORS 113.235 or the Director  
27 of Human Services or Director of the Oregon Health Authority serving as  
28 an affiant may deal with property of the estate as an affiant under this sec-  
29 tion.

30 **“SECTION 12.** ORS 561.144 is amended to read:

1 “561.144. (1) The State Treasurer shall establish a Department of Agri-  
2 culture Service Fund, which shall be a trust fund separate and distinct from  
3 the General Fund. The State Department of Agriculture shall deposit all li-  
4 cense and service fees paid to it under the provisions of the statutes identi-  
5 fied in subsection (3) of this section in the Department of Agriculture Service  
6 Fund. The State Treasurer is the custodian of this trust fund, which shall  
7 be deposited by the treasurer in such depositories as are authorized to re-  
8 ceive deposits of the General Fund, and which may be invested by the  
9 treasurer in the same manner as authorized by ORS 293.701 to 293.857.

10 “(2) Interest received on deposits credited to the Department of Agricul-  
11 ture Service Fund shall accrue to and become a part of the Department of  
12 Agriculture Service Fund.

13 “(3) The license and service fees subject to this section are those de-  
14 scribed in ORS 561.400, 561.740, 570.710, 571.057, 571.063, 571.145, 586.270,  
15 596.030, 596.100, 596.311, 599.235, 599.269, 599.406, 599.610, 601.040, 602.090,  
16 603.025, [603.075,] 616.706, 618.115, 618.136, 619.031, 621.072, 621.166, 621.266,  
17 621.297, 621.335, 621.730, 622.080, 625.180, 628.240, 632.211, 632.600, 632.720,  
18 632.730, 632.741, 632.940, 632.945, 633.015, 633.029, 633.318, 633.362, 633.462,  
19 633.465, 633.680, 633.700, 633.720, 634.016, 634.116, 634.122, 634.126, 634.132,  
20 634.136, 634.212 and 635.030.

21 **“SECTION 13.** ORS 577.512 is amended to read:

22 “577.512. (1) If the United States Secretary of Agriculture orders an as-  
23 sessment pursuant to the Beef Promotion and Research Act of 1985, 7 U.S.C.  
24 2901 to 2918, that applies to sales of cattle in this state, the Oregon Beef  
25 Council may act pursuant to any authority granted under that order to pro-  
26 vide for collection of the assessment. The council may order the collection  
27 of an assessment under this subsection only on cattle sold for payment that  
28 are subject to the federal assessment order and for which the assessment has  
29 not otherwise been paid. [*The council may collect the federal assessment on*  
30 *cattle that are exempt from the brand inspection fee under ORS 604.066 (3).*]

1       “(2) *[In addition to any assessment collected under subsection (1) of this*  
2 *section or any fee for brand inspection services, the council, by rule, shall levy*  
3 *an assessment of not less than 50 cents per head and not more than \$1 per*  
4 *head, on the same cattle, cattle hides and calves for which the council makes*  
5 *brand inspections and collects brand inspection fees.]* Moneys from *[the as-*  
6 *sessments]* **an assessment** are continuously appropriated to the council for  
7 expenditure as provided in ORS 577.295 *[and 577.532]*.

8       “(3) The operator of a stockyard, slaughterhouse, packing plant or live-  
9 stock auction market shall deduct any assessment ordered collected by the  
10 council pursuant to subsection (1) *[or (2)]* of this section from the proceeds  
11 of sale owed to the operator by the owner of an animal. The operator shall  
12 pay the assessment to the State Department of Agriculture. When the oper-  
13 ator provides a written statement of sale proceeds to the owner of an animal,  
14 the operator shall include a statement of the amount deducted from the  
15 proceeds for *[state and]* federal assessments *[and for brand inspection*  
16 *services]*.

17       “(4) The department shall act as agent for the council to collect any as-  
18 sessment ordered collected by the council pursuant to subsection (1) **of this**  
19 **section.** *[or (2) of this section and any brand inspection fees on cattle or cattle*  
20 *hides adopted by department rule pursuant to ORS 604.066. The department*  
21 *shall collect any assessment that the council orders collected under subsection*  
22 *(1) or (2) of this section in the same time, manner and place that the depart-*  
23 *ment collects brand inspection fees on cattle, cattle hides and calves.]* This  
24 subsection does not apply to:

25       “(a) Cattle and calves leaving this state solely for the purpose of  
26 pasturing in another state;

27       “(b) Cattle presented at a recognized livestock show or rodeo;

28       “(c) Cattle presented at a livestock auction market but not sold;

29       “(d) Cattle delivered outside this state, provided ownership of the cattle  
30 remains unchanged;

1 “(e) Cattle slaughtered for personal consumption; and

2 “(f) Cattle resold within 10 days after purchase.

3 “(5) The department shall transfer or pay to the council, not less fre-  
4 quently than once every two months, the amounts collected by the depart-  
5 ment on behalf of the council, reduced by:

6 “(a) The collection and administrative costs to the department in carrying  
7 out the requirements of this section, as determined by the department; and

8 “(b) Refunds by the department of amounts improperly collected under  
9 this section.

10 “(6) A person who believes that an assessment collected from the person  
11 under this section is incorrect may apply to the department for a refund not  
12 later than 60 days after the department collects the assessment.

13 “(7) To the extent consistent with this section, the council shall assess,  
14 levy and collect an assessment under this section using the same process  
15 used by a commodity commission under ORS 576.325 for the assessment,  
16 levying and collection of an assessment on an agricultural commodity.

17 **“SECTION 14.** ORS 603.095 is amended to read:

18 “603.095. [*Except as provided in ORS 603.075,*] All moneys received by the  
19 State Department of Agriculture pursuant to ORS 599.269 and this chapter  
20 shall be paid into the Department of Agriculture Service Fund. Such moneys  
21 are continuously appropriated to the department for the purpose of adminis-  
22 tering ORS 599.269, ORS chapters 604, 616 and 619 and this chapter and for  
23 the purpose of administering such provisions of ORS chapters 162, 164 and  
24 607 as apply to theft of livestock.

25 **“SECTION 15.** ORS 619.031 is amended to read:

26 “619.031. (1) A person may not operate an animal food slaughtering es-  
27 tablishment or processing establishment without first obtaining a license for  
28 the establishment from the State Department of Agriculture.

29 “(2) The department may adopt rules establishing license fee schedules for  
30 establishments licensed under this section. The department may determine

1 the license fee for an establishment based upon the annual gross dollar vol-  
2 ume of sales and services by the applicant. In establishing the amount of the  
3 license fee for an applicant, the department shall use the annual gross dollar  
4 volume of sales and services by that applicant within Oregon during the  
5 prior calendar year or, if the applicant maintains sales and service records  
6 on a fiscal basis, the prior fiscal year. If the applicant applying for an ori-  
7 ginal license or for a renewal license cannot provide the annual gross dollar  
8 volume of sales and services for a full calendar year, the department shall  
9 base the fee on estimated annual gross sales and services by the applicant.  
10 If an applicant whose previous year's fee was determined using an estimated  
11 gross sales and services figure applies for renewal of that license, the fee for  
12 the previous license year shall be adjusted to reflect the actual gross dollar  
13 volume of sales and services by the applicant. The license shall expire on  
14 June 30 next following the date of issuance or on such date as may be  
15 specified by department rule.

16 “(3) Except as provided in this subsection, the department may not adopt  
17 a rule to establish a license fee that is more than three percent higher than  
18 the license fee charged during the preceding year for an establishment of the  
19 same type and having the same volume of gross sales and services. When  
20 adopting a rule establishing a license fee, notwithstanding the three percent  
21 limit, the department may round the fee amount to the next higher whole  
22 dollar amount. Fee schedules adopted under this section may not change the  
23 amount of the same license fee more frequently than once each year.

24 “(4) The provisions of ORS 603.025 (2) and (5), 603.034 (1) and (2)[,] **and**  
25 603.045 (7) [*and 603.075*] shall apply to animal food slaughtering establish-  
26 ments or processing establishments. Except as provided in this subsection,  
27 the remainder of the provisions of ORS chapter 603 do not apply to such  
28 establishments.

29 “(5) Notwithstanding subsection (1) of this section, a person licensed by  
30 the department under ORS chapter 603 to slaughter meat animals and subject



1 to federal meat inspection, or a person licensed by the department under ORS  
2 chapter 603 to slaughter only poultry and rabbits and subject to federal  
3 poultry inspection, or a person licensed by the department under ORS chap-  
4 ter 603 as a nonslaughtering processor may, without being required to obtain  
5 an additional license, also sell or dispose of meat products as animal food  
6 provided that such licensees also comply with the provisions of subsection  
7 (6) of this section, ORS 619.010 to 619.026 and 619.036 to 619.066.

8 “(6) In accordance with the provisions of ORS chapter 183, the department  
9 may promulgate rules necessary to carry out and enforce any procedures or  
10 measures to protect the health of the animals that are fed or intended to be  
11 fed the meat products sold or disposed of by animal food slaughtering es-  
12 tablishments or processing establishments, and to protect the health of other  
13 animals in this state. In addition to the provisions of ORS 619.046, for the  
14 purposes of this section the department shall take into consideration:

15 “(a) The provisions of ORS chapter 596.

16 “(b) The procedures necessary to ensure that meat products that are only  
17 fit for or destined for animal consumption are not sold for human consump-  
18 tion.

19 “(7) A person licensed as provided by this section:

20 “(a) May not sell, hold or offer for sale any carcass of a meat animal or  
21 part thereof that is unfit for or unwholesome as animal food.

22 “(b) May not sell, hold or offer for sale a carcass of a meat animal or part  
23 thereof for human consumption.

24 “(c) Shall keep complete and accurate records of the meat animals pur-  
25 chased for slaughter, including but not limited to their description, brands  
26 if any, date of purchase and the name and address of the person from whom  
27 the animals were purchased.

28 “(d) Shall keep complete and accurate records of the sale of all meat an-  
29 imal carcasses or parts of meat animal carcasses, including the name and  
30 address of the purchaser.

1 “(e) Shall comply with the provisions of ORS 619.026.

2 **“SECTION 16.** ORS 619.031, as amended by section 38, chapter 64, Oregon  
3 Laws 2012, and section 3, chapter 386, Oregon Laws 2019, is amended to read:

4 “619.031. (1) A person may not operate an animal food slaughtering es-  
5 tablishment or processing establishment without first obtaining a license for  
6 the establishment from the State Department of Agriculture.

7 “(2) The department may adopt rules establishing license fee schedules for  
8 establishments licensed under this section. The department may determine  
9 the license fee for an establishment based upon the annual gross dollar vol-  
10 ume of sales and services by the applicant. In establishing the amount of the  
11 license fee for an applicant, the department shall use the annual gross dollar  
12 volume of sales and services by that applicant within Oregon during the  
13 prior calendar year or, if the applicant maintains sales and service records  
14 on a fiscal basis, the prior fiscal year. If the applicant applying for an ori-  
15 ginal license or for a renewal license cannot provide the annual gross dollar  
16 volume of sales and services for a full calendar year, the department shall  
17 base the fee on estimated annual gross sales and services by the applicant.  
18 If an applicant whose previous year’s fee was determined using an estimated  
19 gross sales and services figure applies for renewal of that license, the fee for  
20 the previous license year shall be adjusted to reflect the actual gross dollar  
21 volume of sales and services by the applicant. The license shall expire on  
22 June 30 next following the date of issuance or on such date as may be  
23 specified by department rule.

24 “(3) The department may not adopt or enforce a rule under this section  
25 establishing a license fee that is higher than the license fee charged for the  
26 license year that began July 1, 2025, for an establishment of the same type  
27 and having the same volume of gross sales and services. Fee schedules  
28 adopted under this section may not change the amount of the same license  
29 fee more frequently than once each year.

30 “(4) The provisions of ORS 603.025 (2) and (5), 603.034 (1) and (2)[,] **and**

1 603.045 (7) [*and 603.075*] shall apply to animal food slaughtering establish-  
2 ments or processing establishments. Except as provided in this subsection,  
3 the remainder of the provisions of ORS chapter 603 do not apply to such  
4 establishments.

5 “(5) Notwithstanding subsection (1) of this section, a person licensed by  
6 the department under ORS chapter 603 to slaughter meat animals and subject  
7 to federal meat inspection, or a person licensed by the department under ORS  
8 chapter 603 to slaughter only poultry and rabbits and subject to federal  
9 poultry inspection, or a person licensed by the department under ORS chap-  
10 ter 603 as a nonslaughtering processor may, without being required to obtain  
11 an additional license, also sell or dispose of meat products as animal food  
12 provided that such licensees also comply with the provisions of subsection  
13 (6) of this section, ORS 619.010 to 619.026 and 619.036 to 619.066.

14 “(6) In accordance with the provisions of ORS chapter 183, the department  
15 may promulgate rules necessary to carry out and enforce any procedures or  
16 measures to protect the health of the animals that are fed or intended to be  
17 fed the meat products sold or disposed of by animal food slaughtering es-  
18 tablishments or processing establishments, and to protect the health of other  
19 animals in this state. In addition to the provisions of ORS 619.046, for the  
20 purposes of this section the department shall take into consideration:

21 “(a) The provisions of ORS chapter 596.

22 “(b) The procedures necessary to ensure that meat products that are only  
23 fit for or destined for animal consumption are not sold for human consump-  
24 tion.

25 “(7) A person licensed as provided by this section:

26 “(a) May not sell, hold or offer for sale any carcass of a meat animal or  
27 part thereof that is unfit for or unwholesome as animal food.

28 “(b) May not sell, hold or offer for sale a carcass of a meat animal or part  
29 thereof for human consumption.

30 “(c) Shall keep complete and accurate records of the meat animals pur-

1 chased for slaughter, including but not limited to their description, brands  
2 if any, date of purchase and the name and address of the person from whom  
3 the animals were purchased.

4 “(d) Shall keep complete and accurate records of the sale of all meat an-  
5 imal carcasses or parts of meat animal carcasses, including the name and  
6 address of the purchaser.

7 “(e) Shall comply with the provisions of ORS 619.026.

8 **“SECTION 17. The amendments to ORS 114.535, 561.144, 577.512,  
9 603.095 and 619.031 by sections 11 to 16 of this 2025 Act become operative  
10 on January 2, 2028.**

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### “CAPTIONS

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14 **“SECTION 18. The unit captions used in this 2025 Act are provided  
15 only for the convenience of the reader and do not become part of the  
16 statutory law of this state or express any legislative intent in the  
17 enactment of this 2025 Act.”.**

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