

## HOUSE BILL No. 2395

By committee on Appropriations

2-9

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9 AN ACT concerning animals; relating to the pet animal act; amending  
10 K.S.A. 2004 Supp. 47-1721 and repealing the existing section.

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12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. K.S.A. 2004 Supp. 47-1721 is hereby amended to read as  
14 follows: 47-1721. (a) Each application for issuance or renewal of a license  
15 or permit required under K.S.A. 47-1701 *et seq.*, and amendments  
16 thereto, shall be accompanied by the fee prescribed by the commissioner  
17 under this section. Such fees shall be as follows:

18 (1) Except as provided in paragraph (5), for a license for premises of  
19 a person licensed under public law 91-579 (7 U.S.C. § 2131 *et seq.*), an  
20 amount not to exceed ~~\$150~~ \$190.00.

21 (2) Except as provided in paragraph (5), for a license for any other  
22 premises, an amount not to exceed ~~\$300~~ \$375.

23 (3) For a temporary closing permit, an amount not to exceed ~~\$75~~  
24 \$95.00.

25 (4) For an out-of-state distributor permit, an amount not to exceed  
26 ~~\$500~~ \$625.

27 (5) For a hobby breeder license or a kennel operator license an  
28 amount not to exceed ~~\$75~~ \$95.00.

29 (6) A late fee of ~~\$50~~ \$65.00 shall be assessed to any person whose  
30 permit or license renewal is more than 45 days' late.

31 (b) The commissioner shall determine annually the amount necessary  
32 to carry out and enforce K.S.A. 47-1701 *et seq.*, and amendments thereto,  
33 for the next ensuing fiscal year and shall fix by rules and regulations the  
34 license and permit fees for such year at the amount necessary for that  
35 purpose, subject to the limitations of this section. In fixing such fees, the  
36 commissioner may establish categories of licenses and permits, based  
37 upon the type of license or permit, size of the licensed or permitted  
38 business or activity and the premises where such business or activity is  
39 conducted, and may establish different fees for each such category. The  
40 fees in effect immediately prior to the effective date of this act shall  
41 continue in effect until different fees are fixed by the commissioner as  
42 provided by this subsection.

43 (c) If a licensee, permittee or applicant for a license or permit re-

1    quests an inspection of the premises of such licensee, permittee or ap-  
2    plicant, the commissioner shall assess the costs of such inspection, as  
3    established by rules and regulations of the commissioner, to such licensee,  
4    permittee or applicant.

5    (d) No fee or assessment required pursuant to this section shall be  
6    refundable.

7    (e) The commissioner shall remit all moneys received by or for the  
8    commissioner under this section to the state treasurer in accordance with  
9    the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt  
10   of each such remittance, the state treasurer shall deposit the entire  
11   amount in the state treasury to the credit of the animal dealers fee fund,  
12   which is hereby created in the state treasury. Moneys in the animal deal-  
13   ers fee fund may be expended only to administer and enforce K.S.A. 47-  
14   1701 *et seq.*, and amendments thereto. All expenditures from the animal  
15   dealers fee fund shall be made in accordance with appropriation acts upon  
16   warrants of the director of accounts and reports issued pursuant to vouch-  
17   ers approved by the Kansas livestock commissioner or the commissioner's  
18   designee.

19   (f) Premises required to be licensed under the Kansas pet animal act  
20   shall not be required to pay for more than one license. If more than one  
21   operation is ongoing at the premises, each operation shall comply with  
22   the applicable statutes and rules and regulations pertaining to such  
23   operation.

24   (g) Except as provided further, when a premises required to be li-  
25   censed or permitted under the Kansas pet animal act applies for an initial  
26   license or permit, the commissioner shall prorate to the nearest whole  
27   month the license or permit fee established in subsection (a). The com-  
28   missioner shall have discretion to determine whether the application is  
29   an initial application or an application for a premises which has been doing  
30   business but is not licensed or permitted. If the commissioner determines  
31   the premises has been doing business without a license or permit, the  
32   commissioner is not required to prorate the fee.

33   (h) This section shall be part of and supplemental to K.S.A. 47-1701  
34   *et seq.*, and amendments thereto.

35   Sec. 2. K.S.A. 2004 Supp. 47-1721 is hereby repealed.

36   Sec. 3. This act shall take effect and be in force from and after its  
37   publication in the statute book.