

② ③

Proposed Amendments for SB 47
Senate Committee on Agriculture
and Natural Resources
"Notice of more than 24 hours..."
Prepared by Tamera Lawrence
Office of Revisor of Statutes
February 15, 2017

1 denied, suspended or revoked if there are reasonable grounds to believe
2 that the animals' health, safety or welfare is endangered. Except as
3 provided by K.S.A. 2016 Supp. 21-6412, and amendments thereto, such
4 animals may be returned to the person owning them if there is satisfactory
5 evidence that the animals will receive adequate care by that person or such
6 animals may be sold, placed or euthanized, at the discretion of the
7 commissioner. Costs of care and services for such animals while seized
8 and impounded shall be paid by the person from whom the animals were
9 seized and impounded, if that person's license or permit is denied,
10 suspended or revoked. Such funds shall be paid to the commissioner for
11 reimbursement of care and services provided during seizure and
12 impoundment. If such person's license or permit is not denied, suspended
13 or revoked, the commissioner shall pay the costs of care and services
14 provided during seizure and impoundment.

15 Sec. 8. K.S.A. 2016 Supp. 47-1709 is hereby amended to read as
16 follows: 47-1709. (a) The commissioner or the commissioner's authorized,
17 trained representatives shall make an inspection of the premises for which
18 an application for an original license or permit is made under K.S.A. 47-
19 1701 et seq., and amendments thereto, before issuance of such license or
20 permit. No license or permit shall be issued by the commissioner to an
21 applicant described in this subsection until the premises for which
22 application is made has passed a licensing or permitting inspection. The
23 application for a license shall conclusively be deemed to be the consent of
24 the applicant to the right of entry and inspection of the premises sought to
25 be licensed or permitted by the commissioner or the commissioner's
26 authorized, trained representatives at reasonable times with the owner or
27 owner's representative present. Refusal of such entry and inspection shall
28 be grounds for denial of the license or permit. Notice need not be given to
29 any person prior to inspection.

30 (b) The commissioner or the commissioner's authorized, trained
31 representatives ~~may~~ shall inspect each premises for which a license or
32 permit has been issued under K.S.A. 47-1701 et seq., and amendments
33 thereto, *based upon an inspection frequency schedule adopted by rules*
34 *and regulations. Such frequency schedule may take into account the*
35 *performance history of a premises or the relative risk posed by such*
36 *premises to the health, safety and welfare of the animals.* The acceptance
37 of a license or permit shall conclusively be deemed to be the consent of the
38 licensee or permittee to the right of entry and inspection of the licensed or
39 permitted premises by the commissioner or the commissioner's authorized,
40 trained representatives at reasonable times with the owner or owner's
41 representative present. Refusal of such entry and inspection shall be
42 grounds for suspension or revocation of the license or permit. Notice ~~need~~
43 not be given to any person prior to inspection.

of more than 24 hours will