
ASSEMBLY BILL NO. 264—ASSEMBLYMEN GRADY,
WHEELER; ELLISON, KIRNER AND LIVERMORE

MARCH 15, 2013

JOINT SPONSORS: SENATORS GOICOECHEA
AND SETTELMAYER

Referred to Committee on Natural Resources,
Agriculture, and Mining

SUMMARY—Increases the penalty for certain crimes relating to
estrays and feral livestock. (BDR 50-531)

FISCAL NOTE: Effect on Local Government: Increases or Newly
Provides for Term of Imprisonment in County or City
Jail or Detention Facility.
Effect on the State: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to livestock; increasing the penalty for certain
crimes relating to estrays and feral livestock; providing a
penalty; and providing other matters properly relating
thereto.

Legislative Counsel's Digest:

Existing law makes it unlawful for a person, other than an authorized agent of the State Department of Agriculture, to take up and retain possession of or feed any estray or feral livestock. Under existing law, a person is not cited or charged criminally for the first violation of the prohibition against feeding an estray or feral livestock, but instead receives a warning. (NRS 569.040) **Section 1** of this bill makes a second or subsequent violation of such an offense a gross misdemeanor.

Under existing law, a person who takes up or retains possession of any estray or feral livestock which is not his or her property and without the owner's consent is guilty of a misdemeanor. (NRS 569.130) **Section 2** of this bill increases the penalty for that violation from a misdemeanor to a gross misdemeanor.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 569.040 is hereby amended to read as follows:
2 569.040 1. Except as otherwise provided in subsection 2,
3 NRS 569.040 to 569.130, inclusive, or pursuant to a cooperative
4 agreement established pursuant to NRS 569.031, it is unlawful for
5 any person or the person's employees or agents, other than an
6 authorized agent of the Department, to:

7 (a) Take up any estray or feral livestock and retain possession of
8 it; or

9 (b) Feed any estray or feral livestock.

10 2. For a first violation of paragraph (b) of subsection 1, a
11 person must not be cited or charged criminally but must be informed
12 that it is unlawful to feed an estray or feral livestock.

13 **3. *For a second or subsequent violation of paragraph (b) of***
14 ***subsection 1, a person is guilty of a gross misdemeanor.***

15 **Sec. 2.** NRS 569.130 is hereby amended to read as follows:

16 569.130 Any person, including, without limitation, any firm,
17 company, association or corporation, who takes up or retains in his
18 or her possession any estray or feral livestock not the person's
19 property, without the owner's consent, or except in accordance with
20 the provisions of NRS 569.040 to 569.130, inclusive, is guilty of a
21 ***gross*** misdemeanor.

