

# House Study Bill 692

## Conference Committee Text

PAG LIN

1 1 Section 1. Section [169A.4](#), Code 1995, is amended to read  
1 2 as follows:  
1 3 169A.4 RECORDING - FEE.  
1 4

~~Any~~

- A person desiring to adopt a brand shall forward to the  
1 5 secretary

~~proper~~

- a brand application on forms

~~of such~~

- approved

1 6 by the secretary and providing for the desired brand, together  
1 7 with a recording fee in an amount established by rule of the  
1 8 secretary pursuant to chapter 17A

~~, which~~

- The fee amount

1 9 shall be based upon the administrative costs of maintaining  
1 10 the brand program provided for by this chapter. Upon receipt  
1 11

~~of such~~

- the secretary shall file the application and fee,

~~the~~

-  
1 12

~~secretary shall file the same and~~

- unless

~~such~~

- the brand is of  
1 13 record

~~as that~~

- of

~~some other~~

- another person or conflicts with  
1 14 or closely resembles the brand of another person

~~, the~~

-  
1 15

~~secretary shall record the same~~

- If the secretaries  
1 16 that such brand is of record or conflicts with or closely  
1 17 resembles the brand of another person, the secretary shall not  
1 18 record it but shall return

~~such~~

- ~~the~~ facsimile and fee to the  
1 19 forwarding person. ~~However, the secretary shall renew a~~  
1 20 ~~conflicting brand, if the brand was originally recorded prior~~  
1 21 ~~to the effective date of this Act, and the brand is renewed as~~  
1 22 ~~provided in section 169A.13. The department may notify each~~  
1 23 ~~owner of a conflicting brand that the owner may record a~~  
1 24 ~~nonconflicting brand.~~ The power of examination, approval,  
1 25 acceptance, or rejection shall be vested in the secretary.

~~It~~

-  
1 26

~~shall be the duty of the~~

- ~~The~~ secretary

~~to~~

- ~~shall~~ file all  
1 27 brands offered for record pending the examination provided for  
1 28 in this section. The secretary shall make such examination as  
1 29 promptly as possible. If the brand is accepted, the ~~brand's~~  
1 30 ownership

~~thereof~~

- shall vest in the person recording it from

1 31 the date of filing.

1 32 Sec. 2. Section [169A.16](#), Code Supplement 1995, is

1 33 repealed.

1 34

EXPLANATION

1 35 Last year the general assembly enacted 1995 Iowa Acts,  
2 1 chapter 60 (Senate File 402) which amended chapter 169A,  
2 2 providing for brands registered with the department of  
2 3 agriculture and land stewardship. Part of the bill provided  
2 4 that the department must eliminate brands which are duplicated  
2 5 effective July 1, 1996. This bill eliminates that provision,  
2 6 and provides that the secretary must renew a conflicting  
2 7 brand, if the brand was originally recorded prior to the  
2 8 effective date of this bill, and the brand is a renewal as  
2 9 provided in the chapter.

2 10 LSB 4359HC 76

2 11 da/sc/14