

LEGISLATURE OF NEBRASKA  
ONE HUNDRED NINTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 1187**

Introduced by DeKay, 40.

Read first time January 21, 2026

Committee: Agriculture

- 1 A BILL FOR AN ACT relating to the Livestock Brand Act; to amend section
- 2 54-1,108, Reissue Revised Statutes of Nebraska; to change fees for
- 3 physical inspections and electronic inspections; to eliminate a
- 4 mileage charge and provide for a surcharge; to harmonize provisions;
- 5 to eliminate obsolete provisions; to repeal the original section;
- 6 and to declare an emergency.
- 7 Be it enacted by the people of the State of Nebraska,

1           **Section 1.** Section 54-1,108, Reissue Revised Statutes of Nebraska,  
2 is amended to read:

3           54-1,108 (1)(a) All physical inspections for brands provided for in  
4 the Livestock Brand Act or section 54-415 shall be from sunrise to  
5 sundown or during such other hours and under such conditions as the  
6 Nebraska Brand Committee determines. The brand committee shall assess a  
7 fifty-dollar late notice surcharge if a request for a physical inspection  
8 is made less than forty-eight hours prior to the date of inspection.

9           (b) A physical inspection shall be required when brands applied by  
10 hot iron or freeze branding methods are the exclusive means of ownership  
11 identification and in all other cases that do not qualify for electronic  
12 inspection as provided in subsection (2) of this section.

13           (c) ~~A Beginning October 1, 2021, a physical inspection fee of~~  
14 ~~eighty-five cents per head until June 30, 2023, and beginning July 1,~~  
15 ~~2023, a fee~~ established by the Nebraska Brand Committee, of not more than  
16 one dollar and fifty cents ~~one dollar and ten cents~~ per head shall be  
17 charged for all cattle inspected in accordance with the Livestock Brand  
18 Act or section 54-415, inspected within the brand inspection area or  
19 brand inspection service area by court order, inspected at the request of  
20 any bank, credit agency, or lending institution with a legal or financial  
21 interest in such cattle, or inspected at the request of a neighboring  
22 livestock owner with missing cattle. The inspection fee for court-ordered  
23 inspections shall be paid from the proceeds of the sale of such cattle if  
24 ordered by the court or by either party as the court directs. For other  
25 inspections, the person requesting the inspection of such cattle is  
26 responsible for the inspection fee. Brand inspections requested by either  
27 a purchaser or seller of cattle located within the brand inspection  
28 service area shall be provided upon the same terms and charges as brand  
29 inspections performed within the brand inspection area. If stray cattle  
30 are identified as a result of the inspection, such cattle shall be  
31 processed in the manner provided by section 54-415.

1       (d) A surcharge, as established by the brand committee of not more  
2 than thirty dollars, may be charged to cover travel expenses incurred by  
3 the brand inspector per inspection location when performing brand  
4 inspection. The surcharge shall be collected by the brand inspector and  
5 paid by the person requesting the inspection or the person required by  
6 law to have the inspection. The actual mileage incurred by the inspector  
7 to perform a physical inspection shall be paid by the party requesting  
8 inspection and paid at the rate established by the Department of  
9 Administrative Services pursuant to section 81-1176.

10       (e) For physical inspections performed outside of the brand  
11 inspection area that are not provided for in subdivision (c) of this  
12 subsection, the fee shall be the inspection fee established in such  
13 subdivision plus a fee to cover the actual expense of performing the  
14 inspection, including mileage at the rate established by the Department  
15 of Administrative Services and an hourly rate, not to exceed thirty  
16 dollars per hour, for the travel and inspection time incurred by the  
17 brand committee to perform such inspection. The brand committee shall  
18 charge and collect the actual expense fee. Such fee shall apply to  
19 inspections performed outside the brand inspection area as part of an  
20 investigation into known or alleged violations of the Livestock Brand Act  
21 and shall be charged against the person committing the violation.

22       (2)(a) The brand committee may provide for electronic inspection of  
23 enrolled cattle identified by approved nonvisual identifiers pursuant to  
24 subsection (5) of section 54-199. The brand committee shall establish  
25 procedures for enrollment of such cattle with the brand committee which  
26 shall include providing acceptable certification or evidence of  
27 ownership. Electronic inspection shall not require agency employees to be  
28 present, except that random audits shall occur.

29       (b) An Beginning October 1, 2021, an electronic inspection fee not  
30 to exceed eighty-five cents per head until June 30, 2023, and beginning  
31 July 1, 2023, a fee established by the brand committee of not more than

1 ~~one dollar and fifty cents one dollar and ten cents~~ per head shall be  
2 charged for all cattle subjected to electronic inspection in accordance  
3 with the Livestock Brand Act or section 54-415.

4 (c) A certified bill of sale for sale of calves shall be provided to  
5 qualified dairies once the required information is electronically  
6 transferred to the brand committee on calves under thirty days of age.  
7 The fee shall be the same as for an electronic inspection under  
8 subdivision (2)(b) of this section.

9 (d) A certified transportation permit shall be provided to qualified  
10 dairies after the required information is electronically transferred to  
11 the brand committee on calves under thirty days of age which are moved  
12 out of the inspection area. The fee shall be the same as for an  
13 electronic inspection under subdivision (2)(b) of this section.

14 ~~(e) On or before December 1, 2021, the brand committee shall report~~  
15 ~~to the Legislature any actions taken or necessary for implementing~~  
16 ~~electronic inspection authorized by this subsection, including personnel~~  
17 ~~and other resources utilized to support electronic inspection, how the~~  
18 ~~brand committee's information technology capabilities are utilized to~~  
19 ~~support electronic inspection, a listing of approved nonvisual~~  
20 ~~identifiers, the requirements for enrolling cattle identified by approved~~  
21 ~~nonvisual identifiers, current and anticipated utilization of electronic~~  
22 ~~inspection by the livestock industry, and the fees required to recover~~  
23 ~~costs of performing electronic inspection.~~

24 (3) Any person who has reason to believe that cattle were shipped  
25 erroneously due to an inspection error during a brand inspection may  
26 request a reinspection. The person making such request shall be  
27 responsible for the expenses incurred as a result of the reinspection  
28 unless the results of the reinspection substantiate the claim of  
29 inspection error, in which case the brand committee shall be responsible  
30 for the reinspection expenses.

31 **Sec. 2.** Original section 54-1,108, Reissue Revised Statutes of

1 Nebraska, is repealed.

2       **Sec. 3.** Since an emergency exists, this act takes effect when  
3 passed and approved according to law.