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States' Animal Identification Statutes:

Utah



This material is based upon work supported by the National Agricultural Library, Agricultural Research Service, U.S. Department of Agriculture

A National Agricultural Law Center Research Publication

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Utah Code Tit. 4, Ch. 24

Current with laws through the 2024 Third Special Session.

Utah Code § 4-24-101. Title.

This chapter is known as the "Utah Livestock Brand and Anti-Theft Act."

Utah Code § 4-24-102. Definitions.

As used in this chapter:

- (1) "Brand" means an identifiable mark, including a tattoo or cutting and shaping of the ears or brisket area, applied to livestock that is intended to show ownership and the mark's location.
- (2) "Carcass" means any part of the body of an animal, including entrails and edible meats.
- (3) "Domesticated elk" means the same as that term is defined in Section 4-39-102.
- (4) "Hide" means any skins or wool removed from livestock.
- (5) "Livestock" means cattle, calves, horses, mules, or sheep.
- (6)
 - (a) "Livestock market" means a public market place consisting of pens or other enclosures where cattle, calves, horses, or mules are received on consignment and kept for subsequent sale, either through public auction or private sale.
 - (b) "Livestock market" does not mean:
 - (i) a place used solely for liquidation of livestock by a farmer, dairyman, livestock breeder, or feeder who is going out of business; or
 - (ii) a place where an association of livestock breeders under the association's own management:



- (A) offers registered livestock or breeding sires for sale;
- (B) assumes the responsibility for the sale;
- (C) guarantees title to the livestock or sires sold; and
- (D) arranges with the department for brand inspection of the animals sold.

(7) "Open range" means land upon which cattle, sheep, or other domestic animals are grazed or permitted to roam by custom, license, lease, or permit.

(8) "Slaughterhouse" means a building, plant, or establishment where animals are harvested, dressed, or processed and the animals' meat or meat products produced for human consumption.

Utah Code § 4-24-103. Department authorized to make and enforce rules.

The department is authorized, subject to Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to make and enforce rules as necessary to administer and enforce this chapter.

Utah Code § 4-24-104. Livestock Brand Board created – Composition – Terms – Removal – Quorum for transaction of business – Compensation – Duties.

(1) There is created the Livestock Brand Board consisting of seven members appointed by the governor as follows:

- (a) one feeder operator recommended by the Utah Cattlemen's Association;
- (b) three cattle ranchers, one from each of the state's brand districts;
- (c) one dairyman recommended by the Utah Dairywomen's Association;
- (d) one livestock market operator recommended jointly by the Utah Cattlemen's Association and the Utah Dairywomen's Association; and
- (e) one horse breeder recommended by the Utah Horse Council.

(2) If a nominee is rejected by the governor, the recommending association shall submit another nominee.

(3)

- (a) Except as required by Subsection (3)(b), as terms of current board members expire, the governor shall appoint each new member or reappointed member to a four-year term.



(b) Notwithstanding the requirements of Subsection (3)(a), the governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of board members are staggered so that approximately half of the board is appointed every two years.

(4)

(a) A member may, at the discretion of the governor, be removed at the request of the association that recommended the appointment.

(b) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the unexpired term.

(5)

(a) One member elected by the board shall serve as chair for a term of one year and be responsible for the call and conduct of meetings of the Livestock Brand Board.

(b) Attendance of a simple majority of the members at a duly called meeting shall constitute a quorum for the transaction of official business.

(6) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:

(a) Section 63A-3-106;

(b) Section 63A-3-107; and

(c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

(7) The Livestock Brand Board with the cooperation of the department shall direct the procedures and policies to be followed in administering and enforcing this chapter.

Utah Code § 4-24-105. Commission to appoint supervisor for brand inspection – Appointment subject to approval – Salary.

(1) The commissioner shall appoint a state supervisor for livestock brand inspection, subject to the approval of the Livestock Brand Board.

(2) The salary or compensation of the supervisor shall be fixed in accordance with standards adopted by the Division of Finance.



Utah Code § 4-24-201. Central Brand Registry – Division of state into brand districts – Identical or confusingly similar brands – Publication of registered brands.

- (1) The department shall maintain a central Brand Registry that lists each brand recorded in this state. For each brand registered the list shall specify:
 - (a) the name and address of the registrant;
 - (b) a facsimile or diagram of the brand recorded;
 - (c) the location of the brand upon the animal; and
 - (d) the date the brand is filed in the central Brand Registry.
- (2) The commissioner may divide the state into districts for the purpose of recording brands, but a brand that is identical or confusingly similar to a brand previously recorded in a district may not be recorded.
- (3)
 - (a) A brand that is identical or confusingly similar to a brand previously filed in the central Brand Registry may not be recorded.
 - (b) If two or more brands appear identical or confusingly similar:
 - (i) the brand first recorded shall prevail over a later conflicting brand; and
 - (ii) the later brand shall be cancelled and the recording fees refunded to the owner.
- (4)
 - (a) The commissioner shall publish from time to time a list of all brands recorded in the central Brand Registry and may issue supplements to that publication containing additional brands or changes in ownership of brands recorded after the last publication.
 - (b) The commissioner may publish the publication described in Subsection (4)(a) in hard copy or electronic copy.
 - (c) The publication published under Subsection (4)(a) shall contain a facsimile or diagram of all brands recorded together with the owner's name and address.
 - (d) The commissioner shall, upon request, send one electronic copy of the publication published under Subsection (4)(a) and each supplement to each brand inspector, county clerk, county sheriff,



livestock organization, or any other person considered appropriate.

(e) The department shall make the publication described in Subsection (4)(a) available to the public.

(f) The department shall, upon request, make a hard copy of the publication described in Subsection (4)(a) available at the cost of printing and distribution per publication.

Utah Code § 4-24-202. Recordation of brand.

(1)

(a) Application for a recorded brand shall be made to the department upon forms prescribed and furnished by the department.

(b) The application shall contain the following information:

(i) the name of each applicant;

(ii) a single designated address where the department will send a notice of brand renewal; and

(iii) a description of the brand that is the subject of the application.

(c) An application may not be approved without payment of the appropriate recording fee.

(d) Upon receipt of a proper application, payment of the recording fee, and recordation of the brand in the central Brand Registry of the department, the commissioner shall issue the applicant a certified copy of recording that entitles the applicant to the exclusive use of the brand recorded.

(2)

(a) A recorded brand filed with the central Brand Registry expires during the calendar year 1980, and during each fifth year thereafter.

(b)

(i) The department shall send notice in writing to the address designated under Subsection (1)(b)(ii) within a reasonable time before the date of expiration of recordation.



(ii) The notice required by this Subsection (2)(b) may be provided by email or regular mail at the department's discretion.

(iii) The holder of a registered brand has an affirmative duty to inform the department of a change to the contact information provided on the initial application for a recorded brand.

(c) Brand renewal is affected by filing an appropriate application with the department together with payment of the renewal fee.

(d) A recorded brand, not timely renewed, shall lapse and be removed from the central Brand Registry.

Utah Code § 4-24-203. Fees for recordation, transfer, renewal, and certified copies of brands.

(1) The department, with the approval of the Livestock Brand Board, shall charge and collect fees for the recordation, transfer, and renewal of a brand in each position, and may charge a fee for a certified copy of the recordation.

(2) The fees shall be determined by the department pursuant to Subsection 4-2-103(2).

Utah Code § 4-24-204. Effect of recorded brand – Transfer – Reservation of certain brands.

(1) Except as provided in Subsection (2), the owner of a recorded brand has a vested property right in the brand that is transferable by a duly acknowledged instrument, provided that a transferee has no rights in the brand until the instrument of transfer is recorded with the department.

(2) Notwithstanding any other provision of this chapter:

(a) no person other than a member of the Ute Indian Tribe has any vested property right in the brand "ID" which is reserved exclusively for use by members of the Ute Indian Tribe on the Uintah and Ouray Reservation; and

(b) no person other than a member of the Navajo Indian Tribe has any vested right in the brand " - N" (Bar N) which is reserved exclusively for use by members of the Navajo Indian Tribe on the Navajo Indian Reservation as long as it appears on the left shoulder of the animal branded.

(3) The left jaw of cattle is reserved exclusively for use by the department to identify diseased cattle.



Utah Code § 4-24-205. Livestock on open range or outside enclosure to be branded – Cattle upon transfer of ownership to be branded – Exceptions.

(1)

(a) Subject to Subsections (1)(b) and (c), livestock may not forage upon an open range in this state or outside an enclosure unless the livestock bears a brand recorded in accordance with this chapter.

(b) Swine, goats, and unweaned calves or colts are not required to bear a brand to forage upon open range or outside an enclosure.

(c) Domesticated elk may not forage upon open range or outside an enclosure under any circumstances as provided in Chapter 39, Domesticated Elk Act.

(2)

(a) Except as provided in Subsections (2)(b) and (2)(c), cattle, upon sale or other transfer of ownership, shall be branded with the recorded brand of the new owner within 30 days after transfer of ownership.

(b) Branding, upon change of ownership, is not required within the 30-day period for:

(i) unweaned calves;

(ii) registered or certified cattle;

(iii) youth project calves, if the number transferred is less than five; or

(iv) dairy cattle held on farms.

(c) If the animal will be harvested within 60 days after the date of the sale or other transfer of ownership, no rebrand is required.

Utah Code § 4-24-301. State may be divided into brand inspection districts – Description filed with county clerk and sheriff.

(1) The commissioner, to facilitate and improve brand inspection, may divide the state into brand inspection districts.

(2) District boundaries may be changed as considered necessary by the commissioner, with the approval of the Livestock Brand Board.

(3) Brand inspection stations within brand inspection districts may be located and established by the commissioner to assist in the enforcement of this chapter.



Utah Code § 4-24-302. Certificate of brand inspection necessary to carry out change of ownership – Exception.

(1) Except as provided in Subsection (2), the ownership of cattle, horses, domesticated elk, or mules may not be transferred to any other person, through sale or otherwise, without a certificate of brand inspection issued by a department brand inspector.

(2)

(a) A brand inspection is not required to transfer ownership of dairy calves from the farm of origin under 60 days of age.

(b) Any person who transports dairy calves that have not been brand inspected pursuant to Subsection (2)(a) shall be required to show a sales invoice upon request.

Utah Code § 4-24-303. Livestock – Verification of ownership through brand inspection – Issuance of certificate of brand inspection – Brand inspector may demand evidence of ownership – Brand inspection of livestock seized by the federal government prohibited – Exception.

(1) A brand inspector, as an agent of the department, shall verify livestock ownership by conducting a brand inspection during daylight hours.

(2) After conducting the brand inspection, the brand inspector, if satisfied that the livestock subject to inspection bears registered brands owned by the owner of the livestock, shall issue a brand inspection certificate to the owner or owner's agent.

(3) The brand inspector shall record the number, sex, breed, and brand on each animal inspected together with the owner's name.

(4) If any livestock subject to inspection bears a brand other than that of the owner, or if no brand appears on the livestock, or if the ownership of the livestock is disputed, the brand inspector may demand evidence of ownership before issuing a brand inspection certificate or may decline to issue a brand inspection certificate until the ownership dispute is resolved.

(5) A brand inspector may not issue a brand inspection certificate for privately owned livestock seized by the federal government unless the:

(a) brand inspector receives consent from the livestock's owner;

(b) owner is unknown; or



(c) brand inspector receives a copy of a court order authorizing the seizure.

(6) Breed papers alone do not constitute proof of ownership, but may be considered as a factor in determining ownership.

Utah Code § 4-24-304. Brand inspection required before slaughter – Exceptions.

(1) Except as provided in Subsections (2) and (3), a brand inspection is required before any cattle, calves, horses, domesticated elk, or mules are slaughtered.

(2)

(a) A person may slaughter cattle, calves, horses, or mules for that person's own use without a brand inspection if the requirements of Section 4-32-106 are met.

(b) The department may authorize a custom exempt slaughter facility or a farm custom slaughter licensee to verify ownership of cattle, calves, horses, or mules before slaughter for the owner's use.

(c) A custom exempt slaughter facility or farm custom slaughter licensee authorized by the department, shall verify ownership of cattle, calves, horses, or mules before slaughter for the owner's use.

(d) If the department has reason to believe that a licensee or registrant is or has engaged in conduct that violates this chapter, the department shall issue a notice of agency action pursuant to Section 4-1-106.

(3) The department may authorize a state or department employee to verify ownership of cattle or calves at a licensed meat establishment before slaughter, if there is no change in ownership of the cattle or calves.

Utah Code § 4-24-305. Transportation by air or rail – Brand inspection required – Application for brand inspection – Time and place of inspection.

(1) Except as provided in Subsection (2), a person may not offer, and a railroad or airline company may not accept, cattle, calves, horses, domesticated elk, or mules for transport until the animal has been brand inspected.

(2) Before cattle, calves, horses, domesticated elk, or mules are transported by rail or air, the shipper shall:

(a) request the department to inspect the brands of the animals being transported; and

(b) specify the time and place where the animals may be inspected.



Utah Code § 4-24-306. Movement across state line – Brand inspection required – Exception – Request for brand inspection – Time and place of inspection.

- (1) Except as provided in Subsection (2), a person may not drive or transport any cattle, calves, horses, domesticated elk, or mules from any place within this state to a place outside this state until the animal has been brand inspected.
- (2) Subsection (1) does not apply:
 - (a) if the animals described in Subsection (1) customarily forage on an open range that transgresses the Utah state line and that of an adjoining state;
 - (b) to rodeo stock that have received a current yearly brand inspection; or
 - (c) to non-resident equine traveling to Utah for 30 or fewer days.
- (3) The owner or person responsible for driving or transporting the animals shall request the department to inspect the brands of the animals to be moved.
- (4) The department shall conduct the inspection at the time and place determined by the department.

Utah Code § 4-24-307. Transportation of sheep, cattle, horses, domesticated elk, or mules – Brand certificate or other evidence of ownership required – Moving domesticated elk intrastate – Transit permit – Contents.

- (1) Except as described in Subsection (2) and Section 4-39-305, a person may not transport any sheep, cattle, horses, domesticated elk, or mules without having an official state brand certificate or other proof of ownership in the person's possession.
- (2) A person may transport domesticated elk without an official state brand certificate or other proof of ownership if the person:
 - (a) only moves domesticated elk accompanied by an intrastate transfer form provided by the department;
 - (b) reports the move to the department within five days;
 - (c) only moves domesticated elk from a licensed facility to another licensed facility owned by the same person; and
 - (d) only moves domesticated elk intrastate.



(3) An official state brand inspection certificate shall accompany all domesticated elk sold or slaughtered.

(4) Each person transporting livestock for another person shall have a transit permit signed by the owner or the owner's authorized agent specifying the:

- (a) name of the person driving the vehicle;
- (b) date of transportation;
- (c) place of origin or loading;
- (d) destination;
- (e) date of issuance;
- (f) number of animals being transported; and
- (g) full description of an animal being transported.

Utah Code § 4-24-308. Brand inspection fees.

(1) The department with the approval of the Livestock Brand Board may set and collect a fee for the:

- (a) issuance of any certificate of brand inspection, including a yearly brand inspection of rodeo stock;
- (b) verification of ownership at a custom exempt slaughter facility before slaughter for the owner's use;
- (c) verification of ownership by a farm custom slaughter licensee before slaughter for the owner's use; or
- (d) verification of ownership by a state or department employee at a meat establishment where there is no transfer of ownership.

(2) Brand inspection fees incurred for the inspection of such animals at a livestock market may be withheld by the market and paid from the proceeds derived from their sale.

(3) The fee shall be determined by the department pursuant to Subsection 4-2-103(2).

Utah Code § 4-24-309. Livestock emergency.

(1) As used in this section, "livestock emergency" means:

- (a) the presence of a contagious, infectious, or transmissible disease risk to livestock; or



(b) a natural disaster which may affect livestock.

(2) During a livestock emergency, the department may require a person transporting livestock to present the livestock for brand inspection.

Utah Code § 4-24-401. Hides and pelts – Bill of sale to accompany purchase – Purchaser to maintain records – Hides and records examination and inspection.

(1)

(a) A person who buys a hide or pelt shall secure a bill of sale from the seller.

(b) The bill of sale shall be executed in duplicate with one copy being retained by the seller and the other by the buyer.

(c) The bill of sale shall specify the number of hides or pelts sold and the brand borne by each hide or pelt.

(2)

(a) A hide buyer within this state shall maintain a record specifying the name and address of the seller, date of purchase, and the brands or other identification found on the hides and pelts purchased.

(b) The hides and records of any hide buyer are subject to examination and inspection by the department at reasonable times and places.

Utah Code § 4-24-402. Livestock markets – Records to be maintained – Retention of records – Schedule of fees and charges to be posted.

(1) An owner or operator of a livestock market shall keep a record of:

(a) the date a consignment of livestock is received for sale together with the number of each type of livestock within the consignment;

(b) the name and address of the buyer;

(c) the date of sale and the number and species of livestock purchased by the buyer; and

(d) the description and brand appearing on each animal at the time of sale to the buyer.

(2) An owner or operator of a livestock market shall retain the records mandated by this section for a period of two years from the date on which the livestock market sold the livestock.



(3) A schedule of the fees and commission rates charged by the livestock market shall be posted in a conspicuous place on the premises of each market.

(4) A statement of the gross sales price, commission, and other fees charged for the sale of a consignment shall be available for inspection by the department, and a copy furnished the owner or consignor of the livestock.

Utah Code § 4-24-403. Websites promoting the sale of livestock.

(1) A website, created and maintained within the state, that markets the sale of livestock shall have the following statement clearly visible on each web page that displays advertised livestock: "Legality of Sales and Purchase, Health Laws. If you sell or purchase livestock on this site, you shall comply with all applicable legal requirements governing the transfer and shipment of livestock, including Title 4, Chapter 24, Utah Livestock Brand and Anti-Theft Act, and Title 4, Chapter 31, Control of Animal Disease. Please contact the Utah Department of Agriculture and Food at 801-982-2200 with any questions."

(2) A person who violates this section is subject to the penalties described in Section 4-24-506.

Utah Code § 4-24-404. Livestock sold at market to be brand inspected – Proceeds of sale may be withheld – Distribution of withheld proceeds – Effect of receipt of proceeds by department – Deposit of proceeds – Use of proceeds if ownership not established.

(1)

(a) Livestock may not be sold at any livestock market until after they have been brand inspected by the department.

(b) The livestock market shall furnish to the buyer title to purchased livestock.

(2)

(a) Upon notice from the department that a question exists concerning the ownership of consigned livestock, the operator of the livestock market or meat packing plant shall withhold the proceeds from the sale of the livestock for 60 days to allow the consignor of the questioned livestock to establish ownership.

(b) If the owner or consignor fails within 60 days to establish ownership to the satisfaction of the department, the proceeds of the sale shall be transmitted to the department.



(c) Receipt of the proceeds by the department shall relieve the livestock market or meat packing plant from further responsibility for the proceeds.

(3)

(a) Proceeds withheld under Subsection (2) shall be deposited into the Utah Livestock Brand and Anti-Theft Account created in Section 4-24-501.

(b) If ownership is not satisfactorily established within one year, the department shall use the proceeds for animal identification.

Utah Code § 4-24-405. Travel permit in lieu of brand inspection certificate – Fees.

(1) The department may issue a permit upon the payment of a fee determined by the department pursuant to Subsection 4-2-103(2), in lieu of a certificate of brand inspection, for the transport of a show horse, show mule, or show cattle transported from a place within this state to a place outside the state.

(2) The words "travel permit" shall be stamped or printed on the permit.

(3) A permit:

(a) shall accompany a show animal while the show animal is in transit and shall identify the show animal to which the permit applies by age, sex, color, brand, and scars; and

(b) is valid for the calendar year of the date of issuance, which date shall appear on the permit.

Utah Code § 4-24-406. Lifetime permit in lieu of brand inspection certificate – Fees – Permit to accompany animal – Transfer.

(1) The department may issue a "lifetime" permit upon the payment of a fee determined by the department pursuant to Subsection 4-2-103(2), in lieu of a certificate of brand inspection, for the transport of any horse or mule within or outside the state.

(2) The words "lifetime travel permit" shall be stamped or printed on the permit. The permit shall accompany each horse or mule while it is in transit and shall identify the animal to which it applies by age, sex, color, brand, and scars.



(3) A lifetime transportation permit is valid for as long as the horse or mule to which it applies continues to be owned by the person to whom the permit is issued.

(4) A lifetime permit is transferable to a person within this state upon the transfer of ownership of such an animal, upon application for transfer and the payment of a permit transfer fee to the department in an amount determined by the department pursuant to Subsection 4-2-103(2).

Utah Code § 4-24-501. Utah Livestock Brand and Anti-Theft Account created – Deposit of fees – Purpose of expenditures.

(1) There is created within the General Fund a restricted account known as the Utah Livestock Brand and Anti-Theft Account.

(2) The following money shall be deposited into the Utah Livestock Brand and Anti-Theft Account:

(a) money received by the department under any provision of this chapter; and

(b) money received by the department under any provision of Title 4, Chapter 39, Domesticated Elk Act.

(3) Money in the Utah Livestock Brand and Anti-Theft Account shall be used for the administration of this chapter and of Title 4, Chapter 39, Domesticated Elk Act.

Utah Code § 4-24-502. Unlawful acts specified – Allegation concerning evidence of ownership relative to hides.

(1) It is unlawful for a person to:

(a) permit cattle, calves, horses, mules, or sheep, except unweaned calves or colts, that are not branded in accordance with this chapter, to forage upon an open range in this state or outside an enclosure;

(b) brand livestock with a brand that is not a matter of record on the central Brand Registry;

(c) obliterate, change, or remove a recorded brand;

(d) destroy, mutilate, or conceal a hide with intent to, or for the purpose of, removing evidence of ownership of the hide, or ownership of the animal from which the hide was removed;

(e) hold or ship an estray or livestock owned by another without notifying the owner, a brand inspector, or law enforcement; or



(f) offer for sale an estray or the livestock owned by another.

(2) In a prosecution for violation of this section:

(a) the state does not need to allege the ownership of the hide or the animal or carcass from which the hide was removed; and

(b) the complaint or information is sufficient if the complaint or information alleges that ownership is unknown and that the hide is not the property of the defendant.

Utah Code § 4-24-503. Use of vehicle to transport stolen livestock prohibited – Vehicle subject to seizure and sale – Procedure for sale – Defense.

(1)

(a) No person shall use any vehicle for the transportation of stolen livestock or carcasses.

(b) A vehicle used in transporting stolen livestock or carcasses is subject to seizure and public sale by the sheriff of the county where the vehicle is found, after written notice of the proposed sale is served upon the person in whose custody the vehicle is found.

(2) A person who receives the notice described in Subsection (1)(b) has 10 days after service of the notice of proposed sale to respond to the notice, in which event no sale shall be conducted until after the issue of ownership or any other issues are litigated in a court of competent jurisdiction.

(3) A stolen vehicle used for unlawful transportation is not subject to seizure and sale if the owner of the vehicle is not acting in concert with the thief.

Utah Code § 4-24-504. Enforcement – Brand inspector’s powers delineated.

(1) A brand inspector has the authority of a special function officer for the purpose of enforcing this chapter and the brand inspector may, if proper, stop a vehicle carrying livestock or livestock carcasses for the purpose of examining brands, certificates of brand inspection, and bills of lading or bills of sale relating to the livestock in transit.

(2)

(a) A brand inspector may enter premises where livestock are kept or maintained for the purpose of examining brands.

(b) If admittance is refused, the department may proceed immediately to obtain an ex parte warrant from the nearest court of competent



jurisdiction to allow entry upon the premises for the purpose of examining brands or other evidence of ownership.

Utah Code § 4-24-505. Commissioner authorized to cooperate with local governments, other states, or federal government in enforcement.

The commissioner is empowered with authority, if necessary, to cooperate or enter into cooperative agreements with authorities in any city, town, or county within the state, or with federal authorities, or with authorities in another state for the purpose of securing assistance in the administration and enforcement of this chapter.

Utah Code § 4-24-506. Penalties.

A person who violates a provision of this chapter:

- (1) is guilty of a class B misdemeanor; and
- (2) may be subject to administrative fines, payable to the department, of up to \$1,000 per violation.

