

CHAPTER 129

(HB 433)

AN ACT relating to bovine assessments.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 247.650 is amended to read as follows:

- (1) With respect to any referendum conducted under the provisions of KRS 247.610 to 247.685, the Commissioner of Agriculture shall, before calling and announcing the referendum, fix, determine, and publicly announce at least thirty (30) days before the date determined for the referendum, the date, hours, and polling places for voting in the referendum, the effective date of the assessment, if adopted, the amount and basis of the assessment proposed to be collected, the means by which the assessment shall be collected if authorized by the producers, and the general purposes to which the amount collected shall be applied. No assessment levied under the provisions of any *single* referendum shall exceed one dollar (\$1) on each bovine animal marketed in the state by any producer included in the group to which the referendum was submitted or by any person subsequently becoming a new producer in the area in which the referendum was held.
- ~~(2) The first referendum held under the provisions of KRS 247.610 to 247.685 shall specify that the assessment, if approved, levied under that referendum shall be ten cents (\$0.10) on each bovine animal.~~
- ~~(3) No assessment shall be made on any bovine animal marketed in the state which sells for ten dollars (\$10) or less.~~
- (3) ***Any assessment levied after the effective date of this Act shall be in addition to the federal assessment referenced in Section 2 of this Act.***

➔Section 2. KRS 247.652 is amended to read as follows:

- (1) Notwithstanding the provisions of KRS 247.610 to 247.685, in accordance with the Federal Beef Promotion and Research Act of 1985, each Kentucky producer of a bovine animal shall receive a credit of up to fifty cents (\$0.50) on each bovine animal on which a one dollar (\$1) assessment was made under the terms of the federal act. Each fifty cent (\$0.50) credit received by the producer shall be retained by the association certified under KRS 247.610 to 247.685 and shall be used by the association for the purposes provided in KRS 247.610 to 247.685.
- ~~(2) As long as the Kentucky producer of bovine animals receives the fifty cents (\$0.50) per head credit in accordance with subsection (1) of this section, the assessment provided for in KRS 247.650 shall not be effective.~~
- ~~(3) In the event the one dollar (\$1) assessment provided by the federal act is terminated or suspended, that the assessment on each Kentucky producer of a bovine animal shall continue to be collected, shall be retained by the association certified under KRS 247.610 to 247.685, and shall be used and shall not exceed one dollar (\$1) for the purposes provided in KRS 247.610 to 247.685.~~

Signed by Governor April 5, 2013.