

§ 69-29-1. Mississippi Agricultural and Livestock Theft Bureau established; director; employment of investigators; powers, duties and authority of director; vehicles, equipment and supplies; cooperation and assistance of other agencies; timber product defined; timber products theft investigation.

## **Mississippi Statutes**

### **Title 69. Agriculture, Horticulture, and Animals**

#### **Chapter 29. Livestock Brands, Theft or Loss of Livestock and Protective Associations**

##### **Article 1. General Provisions**

*Current through July 12, 2020*

**§ 69-29-1. Mississippi Agricultural and Livestock Theft Bureau established; director; employment of investigators; powers, duties and authority of director; vehicles, equipment and supplies; cooperation and assistance of other agencies; timber product defined; timber products theft investigation**

- (1)
  - (a) There is established the Mississippi Agricultural and Livestock Theft Bureau.
  - (b) The Commissioner of Agriculture and Commerce shall appoint a director of the Mississippi Agricultural and Livestock Theft Bureau. Such director shall have at least five (5) years of law enforcement experience. Such director shall be responsible solely to the supervision of the Commissioner of Agriculture and to no other person or entity. Such director may be discharged only for just cause shown.
  - (c) The director may employ twelve (12) agricultural and livestock theft investigators . Each investigator shall be certified as a law enforcement officer, successfully completing at least a nine-week training course, in accordance with Section 45-6-11. The curriculum for the training of constables shall not be sufficient for meeting the certification requirements of this paragraph. In the selection of investigators under this section, preference shall be given to persons who have previous law enforcement experience.
  - (d) The director appointed under this section, under the direction, control and supervision of the commissioner, and the investigators employed under this section shall perform only the duties described in subsection (2) of this section and shall not be assigned any other duties.
- (2) The director appointed under this section and the investigators employed under this section shall have the following powers, duties and authority:

- (a) To enforce all of the provisions of Sections 69-29-9 and 69-29-11, and particularly those portions requiring persons transporting livestock to have a bill of sale in their possession; to make investigations of violations of such sections and to arrest persons violating same;
  - (b) To enforce all of the laws of this state enacted for the purpose of preventing the theft of livestock, poultry, timber and agricultural, aquacultural and timber products and implements; to make investigations of violations thereof and to arrest persons violating same;
  - (c) To cooperate with all regularly constituted law enforcement officers relative to the matters herein set forth;
  - (d) To serve warrants and other process emanating from any court of lawful jurisdiction, including search warrants, in all matters herein set forth;
  - (e) To carry proper credentials evidencing their authority, which shall be exhibited to any person making demand therefor;
  - (f) To make arrests without warrant in all matters herein set forth in cases where same is authorized under the constitutional and general laws of this state;
  - (g) To handle the registration of brands of cattle and livestock;
  - (h) To investigate, prevent, apprehend and arrest those persons anywhere in the state who are violating any of the laws administered by the Department of Agriculture and Commerce, including, but not limited to, all agriculture-related crimes ;
  - (i) To access and examine records of any person, business or entity that harvests, loads, carries, receives or manufactures timber products as defined in this section. Each such person or entity shall permit the director or any investigator of the Mississippi Agricultural and Livestock Theft Bureau to examine records of the sale, transfer or purchase of timber or timber products, including, but not limited to, contracts, load tickets, settlement sheets, drivers' logs, invoices, checks and any other records or documents related to an ongoing investigation of the Mississippi Agricultural and Livestock Theft Bureau ;
  - (j) To conduct training for law enforcement regarding laws enforced by the bureau and to assist any other law enforcement agencies in responding to matters that may be related to agriculture and commerce in the State of Mississippi and in cases of natural disasters or other disasters to respond as needed or as requested by other agencies.
- (3) The Commissioner of Agriculture and Commerce shall furnish such investigators with such vehicles, equipment and supplies as may be necessary. All expenses of same, and all other expenses incurred in the administration of this section, shall be paid from such

appropriation as may be made by the Legislature.

- (4) The Mississippi Department of Revenue and its agents and employees shall cooperate with such investigators by furnishing to them information as to any possible or suspected violations of any of the laws mentioned herein, including specifically Section 69-29-27, and in any other lawful manner.
- (5) The conservation officers of the Department of Wildlife, Fisheries and Parks are authorized to cooperate with and assist the agricultural and livestock theft investigators in the enforcement and apprehension of violators of laws regarding agricultural and livestock theft.
- (6) The Mississippi Forestry Commission employees are excluded from any timber and timber products theft investigative responsibilities except when technical expertise is needed and requested through the State Forester or his designee.
- (7) For the purposes of this section, "timber product" means timber of all kinds, species or sizes, including, but not limited to, logs, lumber, poles, pilings, posts, blocks, bolts, cordwood and pulpwood, pine stumpwood, pine knots or other distillate wood, crossties, turpentine (crude gum), pine straw, firewood and all other products derived from timber or trees that have a sale or commercial value.

**Cite as Miss. Code § 69-29-1**

**Source:** Codes, 1942, § 2025.5; Laws, 1950, ch. 394, §§ 1-4; Laws, 1952, ch. 168, § 1, 2 (Para.Para. 1 and 2); Laws, 1962, ch. 154; Laws, 1974, ch. 569, § 22; Laws, 1993, ch. 508, § 1; Laws, 1997, ch. 450, §1; Laws, 1998, ch. 386, §1; Laws, 2004, ch. 419, §1, eff. 7/1/2004.

**History.** Amended by Laws, 2020, ch. TBD, HB 1566, §2, eff. 7/1/2020.

---

§ 69-29-2. License requirement of persons who transfer or sell certain animals for research.

## **Mississippi Statutes**

### **Title 69. Agriculture, Horticulture, and Animals**

#### **Chapter 29. Livestock Brands, Theft or Loss of Livestock and Protective Associations**

##### **Article 1. General Provisions**

*Current through July 12, 2020*

## § 69-29-2. License requirement of persons who transfer or sell certain animals for research

- (1) Every person, firm, association or corporation, before seeking to sell or transfer dogs or cats, or both, for research, shall obtain a license from the Director of the Mississippi Agricultural and Livestock Theft Bureau. The fee and requirements for such license shall be set by the Director of the Mississippi Agricultural and Livestock Theft Bureau. Application for such license shall be made on forms prescribed and furnished by the director. Such license shall be nontransferable, renewable annually. A new license shall be issued if there is any change in the location or ownership of the business.
- (2) At the time application is made for a license under subsection (1) of this section and before the issuance of such license by the Director of the Mississippi Agricultural and Livestock Theft Bureau, the applicant shall file with the director a bond in the penal sum of Five Thousand Dollars (\$5,000.00) payable to the State of Mississippi with surety to be approved by the Secretary of State for the faithful performance of the requirements of this section. Evidence shall be supplied to the director annually, at the time license is renewed, that the bond continues in force and effect. In the event the bond is cancelled or will not be renewed, the bonding company shall notify the director in writing at least thirty (30) days before the cancellation of such bond. If a bond is cancelled or fails to be renewed, the license issued under this section shall stand void automatically. The license shall not stand void if a new bond as required herein is filed with the director before the expiration date of the original bond.
- (3) The following information shall be recorded by every person, firm, association or corporation licensed under this section for each dog or cat received, sold or transferred under the provisions of this section:
  - (a) The name, address and telephone number of the person, firm, association or corporation from whom each dog or cat was received and to whom each dog or cat was delivered.
  - (b) A complete description of each dog or cat received, sold or transferred, including a photograph of each side of the animal.
  - (c) Any other information as required by the Director of the Mississippi Agricultural and Livestock Theft Bureau.
- (4) The Director of the Mississippi Agricultural and Livestock Theft Bureau shall promulgate rules and regulations necessary to effectuate the provisions of this section.
- (5) Any person violating the provisions of this section, upon conviction for a first violation, shall be punished by a fine of not less than Five Hundred Dollars (\$500.00) nor more than One Thousand Dollars (\$1,000.00) or by imprisonment in the county jail for not more than six (6) months, or by both. Any person violating the provisions of this section, upon conviction for a second or subsequent violation, shall be punished by imprisonment in the

Penitentiary for not less than one (1) year or a fine of not less than One Thousand Dollars (\$1,000.00), or by both. Any person who holds a license issued under this section who is convicted of any violation of this section, shall have his license revoked for a minimum of one (1) year.

**Cite as Miss. Code § 69-29-2**

**Source: Laws, 1994, ch. 605, § 1, eff. 7/1/1994.**

---

§ 69-29-3. Prohibition as to marking or branding of animals with intent to deprive owner of property.

## **Mississippi Statutes**

### **Title 69. Agriculture, Horticulture, and Animals**

#### **Chapter 29. Livestock Brands, Theft or Loss of Livestock and Protective Associations**

##### **Article 1. General Provisions**

*Current through July 12, 2020*

##### **§ 69-29-3. Prohibition as to marking or branding of animals with intent to deprive owner of property**

If any person, knowingly, shall mark or brand any animal, the property of another, with a mark or brand calculated or intended to designate ownership not that of the owner, without the consent of the owner, or without authority of law, and with intent to deprive the owner of his property, he shall, on conviction thereof, be imprisoned, in the penitentiary not more than three years, or be fined in a sum not more than five hundred dollars, or imprisoned in the county jail for a period not longer than one year, or both.

**Cite as Miss. Code § 69-29-3**

**Source: Codes, Hutchinson's 1848, ch. 64, art. 12, Title 7 (16); 1857, ch. 64, art. 30; 1871, § 2508; 1880, § 2723; 1892, § 977; 1906, § 1053; Hemingway's 1917, § 781; 1930, § 797; 1942, § 2022.**

---

§ 69-29-5. Prohibition as to altering or defacing of brands or marks without owner's consent.

## **Mississippi Statutes**

### **Title 69. Agriculture, Horticulture, and Animals**

#### **Chapter 29. Livestock Brands, Theft or Loss of Livestock and Protective Associations**

##### **Article 1. General Provisions**

*Current through July 12, 2020*

##### **§ 69-29-5. Prohibition as to altering or defacing of brands or marks without owner's consent**

If any person shall knowingly alter or deface the brand or mark of any animal, intended to designate ownership, the property of another, without his consent, and with intent to deprive the owner of his property, he shall, on conviction, suffer the penalty provided in Section 69-29-3.

Cite as Miss. Code § 69-29-5

Source: Codes, Hutchinson's 1848, ch. 64, art. 12, Title 7 (15); 1857, ch. 64, art. 31; 1871, § 2509; 1880, § 2724; 1892, § 978; 1906, § 1054; Hemingway's 1917, § 782; 1930, § 798; 1942, § 2023.

---

§ 69-29-7. Butchers and dealers to keep register of brands and marks; penalty for violation.

## **Mississippi Statutes**

### **Title 69. Agriculture, Horticulture, and Animals**

#### **Chapter 29. Livestock Brands, Theft or Loss of Livestock and Protective Associations**

##### **Article 1. General Provisions**

*Current through July 12, 2020*

##### **§ 69-29-7. Butchers and dealers to keep register of brands and marks; penalty for violation**

Every butcher or dealer in cattle, sheep, or hogs, who shall fail to enter in a book or register the names of all persons for whom he buys, and a description by marks, brands, and otherwise of all

animals bought or kept by him for slaughter, or to allow an inspection of such entries at any time, by any person interested to make it, shall, on conviction, be imprisoned in the county jail not exceeding six months, or be fined one hundred dollars, or both.

Cite as Miss. Code § 69-29-7

Source: Codes, 1880, § 2726; 1892, § 979; 1906, § 1055; Hemingway's 1917, § 783; 1930, § 799; 1942, § 2024.

---

§ 69-29-9. Branding, misbranding or mismarking cattle or swine with intent to defraud; penalty.

## Mississippi Statutes

### Title 69. Agriculture, Horticulture, and Animals

#### Chapter 29. Livestock Brands, Theft or Loss of Livestock and Protective Associations

##### Article 1. General Provisions

*Current through July 12, 2020*

#### **§ 69-29-9. Branding, misbranding or mismarking cattle or swine with intent to defraud; penalty**

Any person who shall, with intent to defraud, brand or mis-brand, mark or mismark any neat cattle or swine not his own; or any person who shall intentionally brand over a previous brand or in any manner alter, deface or obliterate a previous brand or earmark, or shall cut out and obliterate a previous brand or earmark on any neat cattle or swine, shall be guilty of a felony, and upon conviction thereof, shall be punished by imprisonment in the state penitentiary not less than six months nor more than one year.

Cite as Miss. Code § 69-29-9

Source: Codes, 1942, § 2025; Laws, 1936, ch. 294.

---

§ 69-29-11. Regulations as to transportation of livestock; penalty for violation.

## Mississippi Statutes

## **Title 69. Agriculture, Horticulture, and Animals**

### **Chapter 29. Livestock Brands, Theft or Loss of Livestock and Protective Associations**

#### **Article 1. General Provisions**

*Current through July 12, 2020*

#### **§ 69-29-11. Regulations as to transportation of livestock; penalty for violation**

For any person to haul, transport or carry any livestock upon and over the public highways, roads and streets of this state by means of a motor vehicle or other vehicle drawn or propelled by a motor vehicle, such person shall have in his possession a bill of sale showing:

- (i) from whom such livestock was purchased;
- (ii) description of such livestock, with brands or earmarks, if any;
- (iii) signature and address of the seller; and
- (iv) the date of sale and delivery.

Any sheriff, constable, agricultural and livestock theft investigator or police officer shall have the power to inspect any livestock in the process of transportation upon the highways of Mississippi.

Any person who shall violate any provisions of this section, or Section 69-29-9, shall be deemed guilty of a misdemeanor and, upon conviction therefor, shall be punished by a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00), and by imprisonment in the county jail not less than thirty (30) days nor more than six (6) months. Any person convicted of stealing livestock is subject to the penalties provided in Section 97-17-53.

**Cite as Miss. Code § 69-29-11**

**Source: Codes, 1942, § 2025; Laws, 1936, ch. 294; Laws, 1993, ch. 508, § 2, eff. 7/1/1993.**

---

§ 69-29-13. Mortgaged cattle; notice of loss of same.

#### **Mississippi Statutes**

## **Title 69. Agriculture, Horticulture, and Animals**



## **Chapter 29. Livestock Brands, Theft or Loss of Livestock and Protective Associations**

### **Article 1. General Provisions**

*Current through July 12, 2020*

#### **§ 69-29-13. Mortgaged cattle; notice of loss of same**

The owner of any cattle or stock which shall be mortgaged shall, within thirty days, give notice to the mortgagee of the death, theft or estray of any animal included in the lien created by said mortgage, if the mortgagor has knowledge of the death, theft or estray, and any owner who shall fail to give such notice shall be guilty of a misdemeanor and shall upon conviction, be fined not less than Fifty Dollars (\$50.00) nor more than Two Hundred Dollars (\$200.00) or be imprisoned in the county jail for not more than sixty (60) days, or both.

**Cite as Miss. Code § 69-29-13**

**Source: Codes, Hemingway's 1917, § 1565; 1930, § 5473; 1942, § 4901; Laws, 1916, ch. 117.**

---

§ 69-29-15. Unlawful removal of any collar, tag, or marking device on an animal without permission of owner; penalties.

### **Mississippi Statutes**

#### **Title 69. Agriculture, Horticulture, and Animals**

#### **Chapter 29. Livestock Brands, Theft or Loss of Livestock and Protective Associations**

### **Article 1. General Provisions**

*Current through July 12, 2020*

#### **§ 69-29-15. Unlawful removal of any collar, tag, or marking device on an animal without permission of owner; penalties**

It shall be unlawful for a person to remove any collar, tag or marking device on any animal not owned by such person and without the permission of the owner of the animal. Any person violating the provisions of this section, upon conviction for a first violation, shall be punished by a fine of not less than Two Hundred Fifty Dollars (\$250.00) nor more than One Thousand Dollars (\$1,000.00)

or by imprisonment in the county jail for not more than six (6) months, or by both. Any person violating the provisions of this section, upon conviction for a second or subsequent violation, shall be punished by imprisonment in the Penitentiary for not less than one (1) year or a fine of not less than One Thousand Dollars (\$1,000.00), or by both.

**Cite as Miss. Code § 69-29-15**

**Source: Laws, 1994, ch. 605, § 2, eff. 7/1/1994.**