



# Disqualifying Records

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## Kansas Department of Agriculture

### Division of Animal Health

#### Public Livestock Markets Act

Pursuant to K.S.A. 74-120 and Executive Order 18-13, the Kansas Department of Agriculture, Division of Animal Health provides the following information pertaining to specific civil and criminal records that could disqualify an applicant from receiving a license, certification, registration or permit issued by the Department.

The Public Livestock Market Act, specifically K.S.A. 47-1005, provides that the Animal Health Commissioner (“Commissioner”) may refuse to issue, suspend or revoke any license issued by the Department pursuant to the Act. The list below identifies various violations which may result in the denial of any license issued by the Department. License categories that are subject to the list below include the following: public livestock market license, electronic sales license, occasional livestock sale license.

If you have questions regarding licensure, you should review the Public Livestock Markets Act, K.S.A. 47-1001 *et seq.* or contact the Division of Animal Health.

Additionally, you may contact the Kansas Department of Agriculture and petition for an informal written advisory opinion concerning whether your civil or criminal records will disqualify you from receiving a license, certification, registration or permit. See the Petition for Informal Advisory Opinion page for instructions on how to petition the Kansas Department of Agriculture for an informal written advisory opinion.

Statutory Reference	Violation
K.S.A. 47-1001 <i>et seq.</i>	A violation of any provision of the Public Livestock Markets Act, order or rule and regulation
A finding that the licensee knowingly received on consignment or sold at a public livestock market any stolen livestock, or mortgaged livestock without authority of the lawful owner or mortgagee	
A finding that the licensee was guilty of fraud or deception in the procurement of such license	
A finding that the licensee has violated the laws of the state, or official regulations governing the interstate or intrastate movement, shipment or transportation of any livestock	
A finding that the licensee fails to practice measures of sanitation, disinfection and inspection, as prescribed by law or by the Commissioner, of premises used for yarding, stabling, housing or holding of livestock	

A finding that there has been failure to keep records required by the Commissioner or a refusal on the part of the licensee to produce records of transactions in the carrying on of the business for which such license is granted, or that the licensee selling livestock by weight fails or refuses to have livestock handled by such licensee weighed on scales that are regularly inspected and tested for accuracy by duly authorized public authority or authorities
A finding that there has been failure to make timely remittances of fees due under the Public Livestock Markets Act to the Commissioner
A finding that the licensee has failed to properly maintain custodial accounts or bonds