

## 2018 Kansas Statutes

**47-1721. License and permit fees; costs of inspection; re-inspection fee; disposition of moneys.** (a) Each application for issuance or renewal of a license or permit required under K.S.A. 47-1701 et seq., and amendments thereto, shall be accompanied by the fee prescribed by the commissioner under this section. Such fees shall be as follows:

- (1) Except as provided in paragraphs (5) through (8) and paragraph (10) for a license for premises of a person licensed under public law 91-579, 7 U.S.C. § 2131 et seq., an amount not to exceed \$450;
- (2) except as provided in paragraphs (5) through (8) and paragraph (10) for a license for any other premises, an amount not to exceed \$600;
- (3) for a temporary closing permit, an amount not to exceed \$95;
- (4) for an out-of-state distributor permit, an amount not to exceed \$675;
- (5) for a hobby breeder license or a kennel operator license an amount not to exceed \$250;
- (6) for an animal shelter in a first-class city, as defined in K.S.A. 13-101, and amendments thereto, not to exceed \$400;
- (7) for an animal shelter in a second-class city, as defined in K.S.A. 14-101, and amendments thereto, not to exceed \$335;
- (8) for an animal shelter in a third-class city, as defined in K.S.A. 15-101, and amendments thereto, not to exceed \$285;
- (9) a late fee of \$70 shall be assessed to any person whose permit or license renewal is not renewed prior to October 1; and

(10) for any premises required to be licensed under the Kansas pet animal act under multiple license categories, payment for only the most expensive license and a \$50 fee for each additional applicable license. Such premises shall comply with the applicable laws and rules and regulations pertaining to each license category.

(b) The commissioner shall determine annually the amount necessary to carry out and enforce K.S.A. 47-1701 et seq., and amendments thereto, for the next ensuing fiscal year and shall fix by rules and regulations the license and permit fees for such year at the amount necessary for that purpose, subject to the limitations of this section. In fixing such fees, the commissioner may establish categories of licenses and permits, based upon the type of license or permit, size of the licensed or permitted business or activity and the premises where such business or activity is conducted, and may establish different fees for each such category. The fees in effect immediately prior to the effective date of this act shall continue in effect until different fees are fixed by the commissioner as provided by this subsection.

(c) If a licensee, permittee or applicant for a license or permit requests an inspection of the premises of such licensee, permittee or applicant, the commissioner shall charge a fee of \$200 to cover the costs of such inspection.

(d) (1) Failure by the owner of a premises, a licensee or a permittee, or their designated representative, to make a premises available for inspection within 30 minutes of the arrival of the inspector or the inspector's authorized representative shall be considered a no-contact inspection. Each no-contact inspection shall result in a \$200 no-contact fee against the owner of the premises, the licensee or the permittee. The commissioner or the commissioner's authorized representative shall make a second or subsequent attempt to inspect the premises.

(2) If a premises fails an inspection, such owner, licensee or permittee shall be required to pay a \$200 re-inspection fee for any subsequent inspection. Such payment must be made in advance of the re-inspection, and failure to do so shall result in the revocation of any such licensee's or permittee's license or permit. The owner of the premises shall be required to reapply for any licenses or permits that were revoked pursuant to this subsection and shall be required to:

- (A) Pay the fee for the new permit or license application;
- (B) pass an initial inspection; and
- (C) pay any past due fees before the new license or permit can be issued.

(e) No fee or assessment required pursuant to this section shall be refundable.

(f) The commissioner shall remit all moneys received by or for the commissioner under this section to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the animal dealers fee fund, which is hereby created in the state treasury. Moneys in the animal dealers fee fund may be expended only to administer and enforce K.S.A. 47-1701 et seq., and amendments thereto. All expenditures from the animal dealers fee fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the Kansas animal health commissioner or the commissioner's designee.

(g) Except as provided further, when a premises required to be licensed or permitted under the Kansas pet animal act applies for an initial license or permit, the commissioner shall prorate to the nearest whole month the license or permit fee established in subsection (a). The commissioner shall have discretion to determine whether the application is an initial application or an application for a premises that has been doing business but is not licensed or permitted. If the commissioner determines the premises has been doing business without a license or permit, the commissioner is not required to prorate the fee.

(h) This section shall be part of and supplemental to K.S.A. 47-1701 et seq., and amendments thereto.

**History:** L. 1988, ch. 189, § 12; L. 1991, ch. 152, § 23; L. 1996, ch. 151, § 21; L. 2001, ch. 5, § 172; L. 2005, ch. 190, § 1; L. 2012, ch. 140, § 98; L. 2018, ch. 55, § 8; Apr. 26.