

114TH CONGRESS
2D SESSION

S. 3350

To amend the Packers and Stockyards Act, 1921, to clarify the duties relating to services furnished in connection with the buying or selling of livestock in commerce through online, video, or other electronic methods, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 15, 2016

Mr. COCHRAN (for himself and Mr. TESTER) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Packers and Stockyards Act, 1921, to clarify the duties relating to services furnished in connection with the buying or selling of livestock in commerce through online, video, or other electronic methods, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Clarification of Treat-
5 ment of Electronic Sales of Livestock Act of 2016”.

1 **SEC. 2. DEFINITION OF MARKET AGENCY.**

2 (a) IN GENERAL.—Section 301(c) of the Packers and
3 Stockyards Act, 1921 (7 U.S.C. 201(c)) is amended—

4 (1) by striking “; and” at the end and inserting
5 a period; and

6 (2) by adding at the end the following: “Begin-
7 ning on the date of the enactment of the Clarifica-
8 tion of Treatment of Electronic Sales of Livestock
9 Act of 2016, such term includes any person who en-
10 engages in the business of buying or selling livestock,
11 on a commission or other fee basis, through the use
12 of online, video, or other electronic methods when
13 handling or providing the means to handle receiv-
14 ables or proceeds from such buying or selling, so
15 long as such person’s annual average of online,
16 video, or electronic sales of livestock, on a commis-
17 sion or other fee basis, exceeds \$250,000.”.

18 (b) TECHNICAL AMENDMENTS.—Section 301 of the
19 Packers and Stockyards Act, 1921 (7 U.S.C. 201) is
20 amended—

21 (1) in the matter preceding subsection (a), by
22 striking “When used in this Act—” and inserting
23 “In this Act:”;

24 (2) in subsection (a), by striking the semicolon
25 at the end and inserting a period; and

26 (3) in subsection (b)—

1 (A) by striking “weighting” and inserting
2 “weighing”; and

3 (B) by striking the semicolon at the end
4 and inserting a period.

5 **SEC. 3. METHODS TO TRANSFER FUNDS.**

6 Section 409(a) of the Packers and Stockyards Act,
7 1921 (7 U.S.C. 228b(a)) is amended—

8 (1) in the first proviso, by striking “shall wire
9 transfer funds to the seller’s account” each place it
10 appears and inserting “shall transfer funds for the
11 full amount of the purchase price to the account of
12 the seller by wire, electronic funds transfer, or any
13 other expeditious method determined appropriate by
14 the Secretary”; and

15 (2) in the second proviso, by striking “or dealer
16 shall wire transfer funds” and inserting “or dealer
17 shall transfer funds for the full amount of the pur-
18 chase price by wire, electronic funds transfer, or any
19 other expeditious method determined appropriate by
20 the Secretary”.

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