

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 5883**

OFFERED BY Mr. *Conaway*

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

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

4 SEC. 2. DEFINITION OF MARKET AGENCY.

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

7 (1) by striking “; and” at the end and inserting
8 a period; and

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

1 electronic sales of livestock, on a commission or
2 other fee basis, exceeds \$250,000.”.

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

6 (1) in the matter preceding subsection (a), by
7 striking “When used in this Act—” and inserting
8 “In this Act.”;

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

11 (3) in subsection (b)—

12 (A) by striking “weighting” and inserting
13 “weighing”; and

14 (B) by striking the semicolon at the end
15 and inserting a period.

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

17 Section 409(a) of the Packers and Stockyards Act,
18 1921 (7 U.S.C. 228b(a)) is amended—

19 (1) in the first proviso, by striking “shall wire
20 transfer funds to the seller’s account” each place it
21 appears and inserting “shall transfer funds for the
22 full amount of the purchase price to the account of
23 the seller by wire, electronic funds transfer, or any
24 other expeditious method determined appropriate by
25 the Secretary”; and

1 (2) in the second proviso, by striking “or dealer
2 shall wire transfer funds” and inserting “or dealer
3 shall transfer funds for the full amount of the pur-
4 chase price by wire, electronic funds transfer, or any
5 other expeditious method determined appropriate by
6 the Secretary”.

