

STATE OF OKLAHOMA

1st Session of the 43rd Legislature (1991)

HOUSE BILL NO. 1328

BY: STEIDLEY

AS INTRODUCED

AN ACT RELATING TO PUBLIC HEALTH AND SAFETY; AMENDING

63 O.S. 1981, SECTION 1-508, WHICH RELATES TO  
QUARANTINE OF ANIMALS WITH RABIES; PROVIDING THAT  
FAILURE TO COMPLY WITH ORDER OF STATE COMMISSIONER  
OF HEALTH IS A MISDEMEANOR; PRESCRIBING PUNISHMENT  
THEREFOR; AUTHORIZING COURTS TO GRANT INJUNCTIVE  
RELIEF TO COMPEL COMPLIANCE WITH CERTAIN ORDERS;  
AND DECLARING AN EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 63 O.S. 1981, Section 1-508, is amended to read as follows:

Section 1-508. ~~(a)~~ A. The State Board of Health may adopt such rules and regulations as it deems necessary for the quarantine, isolation, impounding, immunization and disposal of animals, dogs, cats or other domestic pets to prevent and control rabies. The President of the State Board of Agriculture and the Director of Wildlife Conservation shall be requested to make recommendations on

pertinent phases affecting their official duties before such rules and regulations are adopted by the State Board of Health.

~~(b)~~ B. Whenever the State Commissioner of Health or a designee of the Commissioner determines or suspects that rabies exists in any area or that a person has suffered a rabies exposure, he shall have authority to issue an order declaring a quarantine according to rules and regulations adopted by the State Board of Health. He shall, assisted by the State Board of Agriculture and the Director of Wildlife Conservation, cause such quarantine to be enforced. Public officers and employees acting within the scope of their authority in carrying out or enforcing any such order, or rules and regulations adopted for the control of rabies, shall not be held liable for damages resulting from their official acts.

C. It shall be unlawful for any person to willfully fail or refuse to comply with a lawful order of the State Commissioner of Health declaring a quarantine. Any person convicted of violating the provisions of this subsection shall be guilty of a misdemeanor and may be punished by a fine of not to exceed One Hundred Dollars (\$100.00) or by imprisonment in the county jail for not more than thirty (30) days, or by both such fine and imprisonment.

D. District courts shall be authorized to grant injunctive relief, including temporary injunctions and temporary restraining orders, to compel compliance with a quarantine order issued by the Commissioner of Health pursuant to this section.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.