

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

HOUSE BILL NO. 2497

BY: BATES

AS INTRODUCED

AN ACT RELATING TO PUBLIC HEALTH AND SAFETY; AMENDING
63 O.S. 1991, SECTION 1-508, WHICH RELATES TO
PREVENTION AND CONTROL OF RABIES; SPECIFYING
CONTENT OF CERTAIN RULES; AND DECLARING AN
EMERGENCY.

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

SECTION 1. AMENDATORY 63 O.S. 1991, Section 1-508, is
amended to read as follows:

Section 1-508. 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, or
dogs, cats ~~or~~ and 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. The rules
shall at a minimum provide:

1. That the sheriff of each county in this state, or his
deputies, shall be responsible for impounding rabid or rabies-
suspected animals, or dogs, cats and other domestic pets; and

2. That the Oklahoma State Department of Health shall perform any necessary preparations on any rabid or rabies-suspected animal, or dog, cat or other domestic pet, to provide for the testing of such animal, or dog, cat or other domestic pet, for rabies confirmation.

B. Whenever the State Commissioner of Health or a designee of the Commissioner determines 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.

43-2-7824

KSM