

ENROLLED HOUSE  
BILL NO. 2574

By: Morgan of the House

and

Hendrick of the Senate

An Act relating to public health safety; amending 63 O.S. 1991, Section 1-508, which relates to rabies prevention; modifying scope of certain rules; requiring certain considerations in rules; providing for quarantine, isolation, impounding, immunization or disposal of certain animals for certain disease; and providing an effective date.

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. 1. 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~~ an animal to prevent and control ~~rabies~~ any zoonotic disease. Rules of the Board shall consider, but not be limited to:

- a. prior rabies vaccinations,
- b. the degree of exposure to rabies,
- c. the history and prior behavior of the animal prior to exposure, and
- d. the willingness of the individual so exposed to submit to post-exposure antirabies immunization.

2. 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~~ promulgated by the State Board of Health.

B. 1. Whenever the State Commissioner of Health or a designee ~~of the Commissioner~~ determines that ~~rabies~~ any zoonotic disease exists in any area or that a person has suffered ~~a rabies~~ an exposure to any such disease, ~~he~~ the Commissioner shall have authority to issue an order declaring a quarantine, isolation, impounding, immunization or disposal of any animal determined to be the source of such disease or exposure according to rules ~~and regulations~~ adopted promulgated by the State Board of Health. ~~He~~ The Commissioner shall, assisted by the State Board of Agriculture and the Director of Wildlife Conservation, cause such quarantine, isolation, impounding, immunization or disposal to be enforced.

2. Public officers and employees acting within the scope of their authority in ~~carrying out~~ implementing or enforcing any such order, or rules ~~and regulations~~ adopted promulgated for the control of ~~rabies~~ zoonotic disease, 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, isolation, impounding, immunization or disposal. 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~~ more than 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, isolation, impounding, immunization or disposal order issued by the Commissioner ~~of Health~~ pursuant to this section.

SECTION 2. This act shall become effective November 1, 1996.

Passed the House of Representatives the 17th day of April, 1996.

Speaker of the House of  
Representatives

Passed the Senate the 27th day of March, 1996.

President of the Senate