

ENROLLED SENATE  
BILL NO. 984

By: Muegge of the Senate

and

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An Act relating to agriculture; providing short title; providing definitions; requiring State Board of Agriculture to formulate certain plan; authorizing certain quarantine; requiring certain posting of notice; prohibiting the manufacture, transport, distribution or possession of certain biological products; providing exception; authorizing certain agents to enter certain place or premise; prohibiting the interference of certain agent when performing certain duties; requiring adoption of certain rules; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-131 of Title 2, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Foreign Animal Diseases Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-132 of Title 2, unless there is created a duplication in numbering, reads as follows:

As used in the Foreign Animal Diseases Act:

1. "Person" means any individual, firm, partnership, association, organization or corporation;
2. "Board" means the State Board of Agriculture;
3. "Foreign Animal Disease" means any disease of livestock or animal which is designated as meeting the criteria for a foreign animal disease by the United States Department of Agriculture, Animal and Plant Health Inspection Service;
4. "Livestock" and "animals" shall be deemed to include any cattle, bison, equidae, sheep, goats, swine, chickens, turkeys, domesticated fowl, and any animal, ratite or psittacine in captivity; and

5. "Authorized agent" means the State Veterinarian or any person designated as an authorized agent of the State Board of Agriculture, pursuant to Section 1-3 of Title 2 of the Oklahoma Statutes.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-133 of Title 2, unless there is created a duplication in numbering, reads as follows:

The State Board of Agriculture shall formulate and maintain a program to assist in the eradication and control of any foreign animal disease. The program shall be implemented only in the event there is evidence that a foreign animal disease may affect any livestock or animals of this state. The program shall be based upon an approved plan composed of a plan or combination of plans adopted or recommended by the State Veterinarian and the United States Department of Agriculture, Animal and Plant Health Inspection Service and approved by the Board.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-134 of Title 2, unless there is created a duplication in numbering, reads as follows:

If the State Board of Agriculture or any authorized agent thereof shall determine that any animal or livestock in any area, such as a county, township or similar political or geographical boundary, is or might be infected with any foreign animal disease, a quarantine may be declared by the Board or any authorized agent. Such quarantine shall show the boundaries of the area or place quarantined and the conditions of the quarantine, if any; and notice of such quarantine shall be given by a sign or signs posted in such place, places or area, or by publication in a legal newspaper printed in one or more counties in which such place, places or area may be situated, or by both such posting and publication. It shall be illegal to remove any sign or notice posted to a quarantined area or premises and removal shall be only by the State Veterinarian or an authorized agent.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-135 of Title 2, unless there is created a duplication in numbering, reads as follows:

No biological product, including antigens, used to immunize, test, or treat livestock or any other animals for foreign animal diseases shall be manufactured, produced, transported, distributed, sold, offered for sale, or possessed in this state unless the biological product has been licensed or permitted by the United States Department of Agriculture, and approved by the State Veterinarian. Such biological products shall be administered or used only by those persons approved by the State Veterinarian.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-136 of Title 2, unless there is created a duplication in numbering, reads as follows:

Whenever any authorized agent of the State Board of Agriculture is notified of the potential infection or exposure of livestock or animals to any foreign animal disease, the agent shall have the authority to go upon any premises or place and enter any building or enclosure which may contain livestock or animals, for the purpose of inspecting, testing, and examining such livestock or animals. Any person interfering with such inspection, test, or examination, by acts or threats, shall be guilty of a misdemeanor.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-137 of Title 2, unless there is created a duplication in numbering, reads as follows:

The State Board of Agriculture shall adopt such rules it deems necessary to effectuate the provisions of this act.

SECTION 8. This act shall become effective July 1, 1996.

SECTION 9. 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.