

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

HOUSE BILL NO. 2541

By: Erwin

AS INTRODUCED

An Act relating to public health and safety; amending 63 O.S. 1991, Section 1-508, as amended by Section 1, Chapter 124, O.S.L. 1996 (63 O.S. Supp. 1997, Section 1-508), which relates to the control of rabies and other zoonotic diseases; authorizing the three-year rabies vaccine; 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, as amended by Section 1, Chapter 124, O.S.L. 1996 (63 O.S. Supp. 1997, Section 1-508), is amended to read as follows:

Section 1-508. A. 1. The State Board of Health may adopt such rules as it deems necessary for the quarantine, isolation, impounding, immunization and disposal of an animal to prevent and control 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 are promulgated by the State Board of Health.

B. 1. Whenever the State Commissioner of Health or a designee determines that any zoonotic disease exists in any area or that a person has suffered an exposure to any such disease, 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 promulgated by the State Board of Health. 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 implementing or enforcing any such order, or rules promulgated for the control of 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 more than One Hundred Dollars (\$100.00), 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 pursuant to this section.

E. A three-year rabies vaccination is hereby authorized in the enforcement of rules involving zoonotic diseases, including rabies, when given at the appropriate age and time interval. A three-year vaccine confers immunity against rabies for three (3) years up to the second or later booster.

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.

46-2-8215

MCD