

STATE OF OKLAHOMA

2nd Session of the 47th Legislature (2000)

COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL NO. 1133

By: Laughlin of the Senate

and

Davis of the House

COMMITTEE SUBSTITUTE

(agriculture - prohibiting discrimination in prices
paid -

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 9-141 of Title 2, unless there is created a duplication in numbering, reads as follows:

Sections 1 through 4 of this act shall be known and may be cited as the "Oklahoma Livestock Packers Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 9-142 of Title 2, unless there is created a duplication in numbering, reads as follows:

As used in the Oklahoma Livestock Packers Act:

1. "Livestock" means live cattle, swine, or sheep;
2. "Packer" means a person who is engaged in the business of slaughtering livestock or receiving, purchasing, or soliciting livestock for slaughter, the meat products of which are directly or indirectly to be offered for resale or for public consumption. The term "packer" shall include an agent of the packer engaged in buying or soliciting livestock for slaughter on behalf of a packer. The

term "packer" shall not include a cold storage plant or frozen food locker plant; and

3. "Department" means the State Department of Agriculture.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 9-143 of Title 2, unless there is created a duplication in numbering, reads as follows:

A packer shall, at the end of each day during which livestock are purchased or contracted, provide to the United States Department of Agriculture, agricultural market service livestock market news branch, and the State Department of Agriculture, all prices paid for livestock, both contract and direct purchased, that day.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 9-144 of Title 2, unless there is created a duplication in numbering, reads as follows:

A. Any packer shall make available for publication and to the State Department of Agriculture a daily report setting forth information regarding prices paid for livestock, under each contract in force, in which the packer and an Oklahoma resident are parties for the purchase of the livestock by the packer, and which sets a date for delivery more than twenty (20) days after the making of the contract.

B. The reports shall be completed on forms prepared by the Department for comparison with cash market prices for livestock according to procedures required by the Department.

C. The report shall not include information regarding the identity of a seller.

D. A failure of a packer to report as required by this section is punishable by a civil penalty not to exceed One Thousand Dollars (\$1,000.00) for each day that a timely or truthful report is not made. The Department shall refer to the Attorney General any packer or packer's agent whom the Department believes is in violation of the provisions of the Oklahoma Livestock Packers Act. The Attorney

General may, upon referral from the Department, file an action in district court to enforce these provisions.

SECTION 5. This act shall become effective November 1, 2000.

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