

STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

SENATE BILL 401

By: Corn

AS INTRODUCED

An Act relating to animals; creating the Oklahoma Animal Control Officer Certification Act; providing short title; defining terms; creating the Oklahoma Animal Control Officer Certification Council; stating purpose; stating requirements for membership on the Council; setting term of appointment to the Council; requiring the State Board of Health to act in certain capacity; authorizing the Council to adopt training program for certification of animal control officers; stating program requirement; requiring Council to adopt an examination of proficiency; stating requirements for application for certification; authorizing the Council to issue, renew, revoke or suspend the certificate of certain persons; providing for certificates; authorizing the State Board of Health to set certain fees; requiring continuing education and training; providing for expiration of certificate; authorizing the Council to prescribe continuing education course; stating reasons for expiration of certification; stating exception; authorizing the Council to revoke certification for certain reasons; requiring the Board of Health to adopt rules; and providing an effective date.

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 601 of Title 4, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Oklahoma Animal Control Officer Certification Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 602 of Title 4, unless there is created a duplication in numbering, reads as follows:

As used in the Oklahoma Animal Control Officer Certification Act:

1. "Animal control officer" means any individual employed, contracted with, or appointed by the animal control authority for the purpose of aiding the enforcement of this act or any other law or ordinance relating to the licensure of animals, control of animals, or seizure and impoundment of animals, and includes any state or local law enforcement officer or other employee whose duties in whole or in part include assignments that involve the seizure and impoundment of any animal; and

2. "Certified animal control officer" means any animal control officer as defined in paragraph 1 of this section who has successfully completed the requirements for certification as set forth by the Oklahoma Animal Control Officer Certification Council.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 603 of Title 4, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created the Oklahoma Animal Control Officer Certification Council for the purpose of establishing policy, and a program and procedures for the training, examination and certification of animal control officers.

B. The members of the Council shall be composed of:

1. Four animal control officers who are members in good standing of the Oklahoma Animal Control Association;

2. The State Veterinarian;

3. A representative from the Animal Industries Services Division of the Oklahoma Department of Agriculture, Food, and Forestry;

4. A representative from the Oklahoma Department of Career and Technology Education; and

5. A representative from the State Department of Health.

C. Each member of the Oklahoma Animal Control Certification Council shall be appointed by the State Board of Health and serve for a term of three (3) years. Provided, each member may continue

after the expiration of the member's term until such time as a successor is appointed. The State Board of Health shall serve in an advisory capacity to the Council, and shall make recommendations to the Board concerning policy matters affecting animal control officers in the state.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 604 of Title 4, unless there is created a duplication in numbering, reads as follows:

A. The Council shall adopt a training program for certification of animal control officers. The training program shall be administered through the Oklahoma Department of Career and Technology Education.

B. The program shall consist of not less than eighty (80) hours of training, including but not limited to:

1. Professionalism, ethics and conduct;
2. State and federal law of arrest, search and seizure;
3. Crime scene and investigational procedures;
4. Report writing, preparing affidavits and issuing summons for court;
5. Animal care and control;
6. Animal identification;
7. Animal capture and restraint;
8. Animal control facility management;
9. Basic zoonosis and rabies management;
10. Animal first aid;
11. Defensive driving;
12. Self-defense and defensive tactics;
13. Basic euthanasia, principals and laws; and
14. Use of chemical capture equipment, the calculations and administration of the different medications, and proper care for the animals after the use of chemical capture equipment.

C. The Council shall adopt an examination designed to test proficiency in the subjects covered by the training program adopted pursuant to subsection B of this section. The examination may be written, oral, practical or a combination thereof.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 605 of Title 4, unless there is created a duplication in numbering, reads as follows:

The Council has the authority to issue, renew, revoke, or suspend the certification of a Certified Animal Control Officer.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 606 of Title 4, unless there is created a duplication in numbering, reads as follows:

A person may apply to be a certified animal control officer if:

1. The applicant is currently employed as an animal control officer, possesses a high school diploma or equivalent, or has been an animal control officer for a minimum of five (5) years and has a minimum of three professional references;
2. The applicant is a minimum of twenty-one (21) years of age;
3. The applicant has undergone a criminal history search by the Oklahoma State Bureau of Investigation or other law enforcement agency;
4. The applicant has not been convicted of possession of narcotics; and
5. The applicant has not entered any guilty plea or pleaded no contest for crimes against animals.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 607 of Title 4, unless there is created a duplication in numbering, reads as follows:

The Council shall issue "Certified Animal Control Officer" certificates to animal control officers who have satisfactorily completed the training requirements adopted by the Council pursuant to Section 4 of this act and passed the examination adopted by the

Council pursuant to Section 4 of this act. The Council shall not waive any requirements pursuant to Sections 4 and 5 of this act.

SECTION 8. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 608 of Title 4, unless there is created a duplication in numbering, reads as follows:

Application fees for certification as issued by the Council shall be set by the State Board of Health.

SECTION 9. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 609 of Title 4, unless there is created a duplication in numbering, reads as follows:

A. A certified animal control officer must maintain certification by attending fourteen (14) hours per calendar year of an approved continuing education and training course prescribed by the Council.

B. Certification shall expire after two years, if the person has not been employed as a municipal animal control officer during that period, unless such officer has been on an approved leave of absence.

The Council may revoke any certification previously issued by the Board in any case where the individual holding certification is determined to have failed to conform to the requirements of the certification.

SECTION 10. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 610 of Title 4, unless there is created a duplication in numbering, reads as follows:

The Board of Health shall adopt rules for the implementation the provisions of this act including, but not limited to, establishing a procedure for applying for certification.

SECTION 11. This act shall become effective November 1, 2004.