

STATE OF OKLAHOMA

2nd Session of the 50th Legislature (2006)

SENATE BILL 1607

By: Shurden

AS INTRODUCED

An Act relating to counties; authorizing certain county election for certain purpose; amending Sections 2, 3, 4, 5 and 6 of State Question No. 687, Initiative Petition No. 385, adopted November 5, 2003 (21 O.S. Supp. 2005, Sections 1692.2, 1692.3, 1692.4, 1692.5 and 1692.6) which relate to cockfighting; providing certain exceptions; providing for codification; 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 40 of Title 19, unless there is created a duplication in numbering, reads as follows:

Notwithstanding any provision of Sections 1692.2, 1692.3, 1692.4, 1692.5 and 1692.6 of Title 21 of the Oklahoma Statutes, relating to cockfighting, every county of this state is hereby granted the option and is authorized to allow cockfighting after a county-wide election affirms the same by a majority of the voters of the county, voting on the question at an election called for that purpose. The question whether to allow cockfighting may be placed on any county election ballot as provided by law for other county questions to be put to a vote of the people of such county.

SECTION 2. AMENDATORY Section 2, State Question No. 687, Initiative Petition No. 365 (21 O.S. Supp. 2005, Section 1692.2), is amended to read as follows:

Section 1692.2 ~~Every~~ Except as authorized by Section 1 of this act, every person who willfully instigates or encourages any cockfight, upon conviction, shall be guilty of a felony. The

penalty for a violation of this section shall be as provided in Section § 1692.8 of this ~~act~~ title.

SECTION 3. AMENDATORY Section 3, State Question No. 687, Initiative Petition No. 365 (21 O.S. Supp. 2005, Section 1692.3), is amended to read as follows:

Section 1692.3 ~~Every~~ Except as authorized by Section 1 of this act, every person who keeps any pit or other place, or knowingly provides any equipment or facilities to be used in permitting any cockfight, upon conviction, shall be guilty of a felony. The penalty for a violation of this section shall be as provided in Section § 1692.8 of this ~~act~~ title.

SECTION 4. AMENDATORY Section 4, State Question No. 687, Initiative Petition No. 365 (21 O.S. Supp. 2005, Section 1692.4), is amended to read as follows:

Section 1692.4 ~~Every~~ Except as authorized by Section 1 of this act, every person who does any act or performs any service in the furtherance of or to facilitate any cockfight, upon conviction, shall be guilty of a felony. Such activities and services specifically prohibited by this section include, but are not limited to: promoting or refereeing of birds at a cockfight, advertising a cockfight, or serving as a stakes holder of any money wagered on any cockfight. The penalty for a violation of this section shall be as provided in Section § 1692.8 of this ~~act~~ title.

SECTION 5. AMENDATORY Section 5, State Question No. 687, Initiative Petition No. 365 (21 O.S. Supp. 2005, Section 1692.5), is amended to read as follows:

Section 1692.5 ~~Every~~ Except as authorized by Section 1 of this act, every person who owns, possesses, keeps, or trains any bird with the intent that such bird shall be engaged in a cockfight, upon conviction, shall be guilty of a felony. The penalty for a violation of this section shall be as provided in Section 8 of this act.

SECTION 6. AMENDATORY Section 6, State Question No. 687, Initiative Petition No. 365 (21 O.S. Supp. 2005, Section 1692.6), is amended to read as follows:

Section 1692.6 ~~Every~~ Except as authorized by Section 1 of this act, every person who is knowingly present as a spectator at any place, building, or other site where preparations are being made for a cockfight with the intent to be present at such preparation or cockfight, or is knowingly present at such cockfight, upon conviction shall be guilty of a misdemeanor.

SECTION 7. 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.

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