

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 CONFERENCE COMMITTEE
4 SUBSTITUTE
5 FOR ENGROSSED
6 HOUSE BILL NO. 3285

By: McNiell, Fields and Pittman
of the House

7 and

8 Coates of the Senate

9
10 CONFERENCE COMMITTEE SUBSTITUTE

11 An Act relating to animals; amending 4 O.S. 2001,
12 Section 85.6, which relates to stray animals;
13 allowing sale of certain animals to licensed
14 slaughter facility; and providing an effective date.

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

16 SECTION 1. AMENDATORY 4 O.S. 2001, Section 85.6, is
17 amended to read as follows:

18 Section 85.6 A. If a peace officer is unable to determine the
19 owner or probable owner of any strayed animal from brand records and
20 other reports of lost, strayed and stolen livestock, the sheriff
21 shall cause to be published in a newspaper having general
22 circulation in the county in which the strayed animal has been taken
23 up, a description of the animal which shall contain sex, age and
24 brand or brands but shall not contain color, or marks or other

1 descriptive information. The notice shall be published for two (2)
2 consecutive weekly issues. If after such publication the sheriff is
3 still unable to determine the owner, the animal shall be sold by the
4 sheriff, at either the nearest approved and licensed slaughter
5 facility or the nearest approved and licensed or federally inspected
6 livestock auction market from where taken up, inside the State of
7 Oklahoma.

8 B. The approved selling firm shall forward by mail to the
9 sheriff a check for the proceeds and other sales information,
10 listing a description, sex, weight, selling price per pound and
11 total sales price less normal and customary marketing fees.

12 C. The sheriff shall pay to the taker-up of an unclaimed stray
13 animal the actual cost for keeping it, together with the actual
14 amount of any damages suffered by the taker-up as a result of the
15 strayed animal being upon the premises.

16 D. All remaining money, if any, shall be deposited with the
17 county treasurer to be held by the treasurer in a special fund from
18 which payment may be made to a claimant who has been determined by
19 the district court to be the owner of the stray animal. If not
20 expended pursuant to court order within one (1) year the funds so
21 deposited shall be credited to the County General Fund.

22 SECTION 2. This act shall become effective November 1, 2010.

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24 52-2-10852 EK 05/11/10