

ENROLLED HOUSE
BILL NO. 3285

By: McNiel, Fields, Pittman and
Smithson of the House

and

Coates of the Senate

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

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

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

Section 85.6 A. If a peace officer is unable to determine the owner or probable owner of any strayed animal from brand records and other reports of lost, strayed and stolen livestock, the sheriff shall cause to be published in a newspaper having general circulation in the county in which the strayed animal has been taken up, a description of the animal which shall contain sex, age and brand or brands but shall not contain color, or marks or other descriptive information. The notice shall be published for two (2) consecutive weekly issues. If after such publication the sheriff is still unable to determine the owner, the animal shall be sold by the sheriff, at either the nearest approved and licensed slaughter facility or the nearest approved and licensed or federally inspected livestock auction market from where taken up, inside the State of Oklahoma.

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

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

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

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

Passed the House of Representatives the 18th day of May, 2010.

Presiding Officer of the House of
Representatives

Passed the Senate the 26th day of May, 2010.

Presiding Officer of the Senate