

FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend amendment number 1 to SB452
Page _____ Section _____ Lines _____
Of the printed Bill
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Lee Denney

Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 FLOOR SUBSTITUTE
4 FOR ENGROSSED

5 SENATE BILL NO. 452

6 By: Schulz and Sweeden of the
7 Senate

8 and

9 Armes and McMullen of the
10 House

11 FLOOR SUBSTITUTE

12 An Act relating to livestock; amending 59 O.S. 2001,
13 Section 698.12, as last amended by Section 1, Chapter
14 172, O.S.L. 2005 (59 O.S. Supp. 2008, Section
15 698.12), which relates to the Oklahoma Veterinary
16 Practice Act; modifying acts not prohibited;
17 providing for certain acts relating to livestock to
18 be lawful; specifying certain limitation; providing
19 for codification; and declaring an emergency.

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

21 SECTION 1. AMENDATORY 59 O.S. 2001, Section 698.12, as
22 last amended by Section 1, Chapter 172, O.S.L. 2005 (59 O.S. Supp.
23 2008, Section 698.12), is amended to read as follows:

24 Section 698.12 The Oklahoma Veterinary Practice Act shall not
be construed to prohibit:

1. Acts of animal husbandry including but not limited to
dehorning, branding, tagging or notching ears, pregnancy checking,

1 collecting semen, preparing semen, freezing semen, castrating,
2 worming, vaccinating, injecting or artificial insemination of farm
3 animals, trimming or shoeing hooves; or the acts or conduct of a
4 person advising with respect to nutrition, feeds or feeding;

5 2. The owner of an animal or the owner's employees or helpers
6 from caring for or treating animals belonging to the owner; provided
7 that, the acts of the owner's employees or helpers otherwise
8 prohibited by the Oklahoma Veterinary Practice Act are only an
9 incidental part of the employment duties and for which no special
10 compensation is made;

11 3. Acts of a person in lawful possession of an animal for some
12 other purpose than practicing veterinary medicine; provided that, no
13 charge may be made or included in any other charge or fee or
14 adjustment otherwise made of any charge or fee for acts performed
15 pursuant to this subsection unless the acts are performed by a
16 licensed veterinarian as provided by the Oklahoma Veterinary
17 Practice Act;

18 4. Acts of auction markets and other shippers of food animals
19 in preparing such animals for shipment;

20 5. Acts of a person who is a student in good standing in a
21 veterinary school, in performing duties or functions assigned by
22 the student's instructors, or working under the direct supervision
23 of a licensed veterinarian for each individual case and acts
24 performed by an instructor or student in a school of veterinary

1 medicine recognized by the Board and performed as a part of the
2 educational and training curriculum of the school under the direct
3 supervision of faculty. The unsupervised or unauthorized practice
4 of veterinary medicine even though on the premises of a school of
5 veterinary medicine is prohibited;

6 6. Acts of any employee in the course of employment by the
7 federal government or acts of a veterinarian practicing on property
8 and persons outside the jurisdiction of the State of Oklahoma;

9 7. A veterinarian currently licensed in another state from
10 consulting with a licensed veterinarian of this state;

11 8. Acts of vocational-agriculture instructors or students while
12 engaged in regular vocational-agriculture instruction in programs
13 approved by the Oklahoma Department of Career and Technology
14 Education; provided that said acts are under the supervision of
15 instructors and are carried out in the usual course of instruction
16 and not as independent practice by an unlicensed veterinarian
17 without supervision;

18 9. Any person employed by a licensed veterinarian who is
19 assisting with the professional duties of the licensed veterinarian
20 and who is under the direct supervision of the licensed veterinarian
21 from administering medication or rendering auxiliary or supporting
22 assistance under the direct supervision of such licensed
23 veterinarian, provided that the practice is conducted in compliance
24 with all laws of this state and rules of this Board;

1 10. Any chiropractic physician licensed in this state who is
2 certified by the Board of Chiropractic Examiners to engage in animal
3 chiropractic diagnosis and treatment from practicing animal
4 chiropractic diagnosis and treatment;

5 11. Any chiropractic physician licensed in this state who is
6 not certified to practice animal chiropractic diagnosis and
7 treatment by the Board of Chiropractic Examiners from providing
8 chiropractic treatment to an animal referred to such chiropractic
9 physician by a licensed veterinarian; or

10 12. Any individual that is certified in animal massage therapy
11 and acquires liability insurance from engaging in animal massage
12 therapy after referral from a licensed veterinarian.

13 SECTION 2. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 21-1 of Title 2, unless there is
15 created a duplication in numbering, reads as follows:

16 A. The following acts shall be considered lawful acts for
17 purposes of caring for livestock: acts of animal husbandry including
18 but not limited to dehorning, branding, tagging or notching ears,
19 pregnancy checking, collecting semen, preparing semen, freezing
20 semen, castrating, worming, vaccinating, injecting or artificial
21 insemination of farm animals, trimming or shoeing hooves; or the
22 acts or conduct of a person advising with respect to nutrition,
23 feeds or feeding.

24

1 B. Nothing in this section shall be construed to authorize a
2 person to prescribe, administer, or dispense a controlled dangerous
3 substance in violation of the Oklahoma Veterinary Practice Act.

4 C. The State Board of Agriculture shall promulgate rules
5 necessary to carry out the purposes of this section.

6 SECTION 3. It being immediately necessary for the preservation
7 of the public peace, health and safety, an emergency is hereby
8 declared to exist, by reason whereof this act shall take effect and
9 be in full force from and after its passage and approval.

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11 52-1-7663 SAB 04/06/09

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