

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2818

By: Auffet

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5
6 AS INTRODUCED

7 An Act relating to agriculture; amending Section 1,
8 Chapter 65, O.S.L. 2002 (2 O.S. Supp. 2009, Section
9 10-9.8a), which relates to the Oklahoma Registered
10 Poultry Feeding Operations Act; adding restriction to
11 expansion or new construction of poultry feeding
12 operations; and providing an effective date.

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

14 SECTION 1. AMENDATORY Section 1, Chapter 65, O.S.L. 2002
15 (2 O.S. Supp. 2009, Section 10-9.8a), is amended to read as follows:

16 Section 10-9.8a On and after ~~the effective date of this act~~
17 November 1, 2010:

18 1. No new or expanding poultry feeding operations, operated by
19 entities prohibited in Section 951 of Title 18 of the Oklahoma
20 Statutes including but not limited to entities operating as
21 prescribed by Section 954 of Title 18 of the Oklahoma Statutes,
22 shall be constructed within a one-hundred-year flood plain; and

23 2. No new or expanding poultry feeding operations, operated by
24 entities prohibited in Section 951 of Title 18 of the Oklahoma

1 Statutes including but not limited to entities operating as
2 prescribed by Section 954 of Title 18 of the Oklahoma Statutes,
3 shall be constructed within the following minimum buffer areas:

- 4 a. one and one-half (1 1/2) miles of the high water mark
5 of a surface public water supply if the poultry
6 feeding operation is located within the watershed for
7 the public water supply,
- 8 b. one (1) mile of any designated scenic river area as
9 specified by the Scenic Rivers Act,
- 10 c. one (1) mile of a public drinking water well, ~~and~~
- 11 d. one (1) mile of a water body specified as Outstanding
12 Resource Waters that has recreational or ecological
13 significance as outlined by the most current Water
14 Quality Standards promulgated by the Oklahoma Water
15 Resources Board,
- 16 e. two hundred (200) feet of the property line of any
17 property containing existing homes or business
18 structures, and
- 19 f. three hundred (300) feet of any existing homes or
20 business structures.

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

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23 52-2-9452 EK 01/11/10
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