

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3059

By: DeWitt

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5  
6 AS INTRODUCED

7 An Act relating to agriculture; amending 2 O.S. 2001,  
8 Section 1-3, as last amended by Section 1, Chapter  
9 292, O.S.L. 2005 (2 O.S. Supp. 2009, Section 1-3),  
which relates to definitions; clarifying language;  
and providing an effective date.

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

13 SECTION 1. AMENDATORY 2 O.S. 2001, Section 1-3, as last  
14 amended by Section 1, Chapter 292, O.S.L. 2005 (2 O.S. Supp. 2009,  
15 Section 1-3), is amended to read as follows:

16 Section 1-3. For the purposes of the Oklahoma Agricultural  
17 Code, unless the context indicates otherwise:

18 1. "Authorized agent" means a person who has been authorized by  
19 the State Board of Agriculture to act on behalf of the Board in  
20 making investigations, inspections, performing other services, or  
21 doing any particular act or acts which have been vested by the  
22 Oklahoma Agricultural Code in the Board. A written or printed  
23 commission signed by the President of the Board shall be proof that  
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1 the holder has lawful authority to act on behalf of the Board in  
2 implementing the Oklahoma Agricultural Code;

3 2. "Board" means the State Board of Agriculture;

4 3. "Code" means the Oklahoma Agricultural Code;

5 4. "Department" means the Oklahoma Department of Agriculture,  
6 Food, and Forestry and its employees, officers, and divisions.

7 Whenever the name "Department of Agriculture" appears in any law,  
8 contract or other document, it shall be deemed to refer to the  
9 Oklahoma Department of Agriculture, Food, and Forestry;

10 5. "Director" means the Director of a division established in  
11 the Oklahoma Department of Agriculture, Food, and Forestry;

12 6. "License" means a written document issued by the Board  
13 granting authority to a person to engage in a business, occupation,  
14 or activity;

15 7. "Livestock" or "animals" means any cattle, bison, horses,  
16 sheep, goats, asses, mules, swine, domesticated rabbits, and  
17 chickens, turkeys, and other domesticated fowl, and any animal or  
18 bird in captivity;

19 8. "Permit" means a written document issued by the Board giving  
20 consent for a person to engage in an activity;

21 9. "Person" means the state, any municipality, political  
22 subdivision, institution, individual, public or private corporation,  
23 partnership, association, firm, company, public trust, joint-stock  
24 company, trust, estate, state or federal agency, other governmental

1 entity, or any other legal entity or an agent, employee,  
2 representative, assignee or successor thereof;

3 10. "President" means the President of the State Board of  
4 Agriculture. The President of the State Board of ~~Agriculture~~ shall  
5 also be designated as the Commissioner of Agriculture;

6 11. "Producer" means any person planting, raising, growing, or  
7 harvesting agricultural products;

8 12. "Quarantine" means a written document issued by the Board  
9 to restrict the movement of animals, birds, plants, or agricultural  
10 commodities into or out of a specified area for the control or  
11 prevention of diseases or pests; and

12 13. "Stop sale order" or "stop use order" means a written or  
13 printed order signed by the President or authorized agent of the  
14 Board, prohibiting the sale, offering for sale, exposure for sale,  
15 or use of any agricultural product, article, device, service, or  
16 commodity covered by the Oklahoma Agricultural Code.

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

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