ENGROSSED HOUSE
BILL NO. 2925 By: Armes of the House

and

Marlatt of the Senate

An Act relating to agriculture; amending 2 O.S. 2011, Sections 6-503 and 6-507, which relate to the Oklahoma Farmed Cervidae Act; authorizing the Oklahoma Department of Agriculture, Food, and Forestry to negotiate reciprocal agreements; prohibiting interstate transportation without a reciprocal agreement; and providing an effective date.

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

SECTION 1. AMENDATORY 2 O.S. 2011, Section 6-503, is amended to read as follows:

Section 6-503. A. Authorized agents of the Oklahoma Department of Agriculture, Food, and Forestry shall have the authority to enter any premises or mode of transportation as authorized pursuant to Section 2-14 of ~~Title 2 of the Oklahoma Statutes~~ this title for the purpose of implementing or enforcing the Oklahoma Farmed Cervidae Act, or rules promulgated pursuant thereto.

B. Authorized agents of the Department of Wildlife Conservation shall have the authority to enter and inspect any premises pursuant to Section 3-201 of Title 29 of the Oklahoma Statutes for the purpose

of implementing and enforcing the Oklahoma Wildlife Conservation Code or rules promulgated pursuant thereto.

C. The Oklahoma Farmed Cervidae Act shall not apply to the regulation of facilities owned and operated for the purpose of commercial hunting of farmed or captive-bred cervidae. Commercial hunting facilities shall remain under the jurisdiction of the Department of Wildlife Conservation.

D. The State Board of Agriculture is authorized to promulgate rules necessary, expedient, or appropriate for the performance, enforcement, or carrying out of any of the purposes, objectives, or provisions of the Oklahoma Farmed Cervidae Act, including the establishment of fees. All fees shall be fair and equitable to all parties concerned. Rules shall be promulgated pursuant to the Administrative Procedures Act.

E. The Oklahoma Department of Agriculture, Food, and Forestry shall have the authority to:

1. Issue, renew, deny, modify, suspend, cancel, and revoke any registration, permit, certificate, license, identification, or order issued pursuant to the provisions of the Oklahoma Farmed Cervidae Act;

2. Issue entry or import permits to any person transporting farmed cervidae into this state;

3. Investigate complaints and violations of the Oklahoma Farmed Cervidae Act;

4. Issue quarantines, initiate control measures, confiscate, and destroy farmed cervidae that present a danger to native cervidae, other animals, or to the public safety or welfare; ~~and~~

5. Negotiate reciprocal agreements with the federal government or any state, or any department or agency of either; and

6. Exercise all incidental powers as necessary and proper to implement and enforce the provisions of the Oklahoma Farmed Cervidae Act.

SECTION 2. AMENDATORY 2 O.S. 2011, Section 6-507, is amended to read as follows:

Section 6-507. It shall be unlawful and a violation of the Oklahoma Farmed Cervidae Act for any person:

1. To refuse an inspection authorized by the Oklahoma Farmed Cervidae Act;

2. To commingle or integrate any native cervidae into a farmed cervidae herd;

3. To intentionally commingle or integrate any farmed cervidae with native cervidae;

4. To fail to maintain records as required by law;

5. To fail to maintain fencing as required by law;

6. To fail to pay any fee, fine, or penalty as required and established pursuant to the Oklahoma Farmed Cervidae Act;

7. To transport live cervidae across state lines unless there is a reciprocal agreement with the state where the cervidae is being transported to or from;

8. To fail to comply with any State Board of Agriculture order; or

~~8.~~ 9. To violate any provision of the Oklahoma Farmed Cervidae Act.

SECTION 3. This act shall become effective November 1, 2012.

Passed the House of Representatives the 21st day of February, 2012.

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Presiding Officer of the House of Representatives

Passed the Senate the ____ day of _____, 2012.

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Presiding Officer of the Senate