

1 **SENATE FLOOR VERSION**

2 March 29, 2012

3 COMMITTEE SUBSTITUTE  
4 FOR ENGROSSED  
5 HOUSE BILL NO. 2925

By: Armes of the House

and

6 Marlatt of the Senate

7  
8  
9 An Act relating to agriculture; amending 2 O.S. 2011,  
10 Sections 6-503 and 6-507, which relate to the  
11 Oklahoma Farmed Cervidae Act; authorizing the  
12 Oklahoma Department of Agriculture, Food, and  
13 Forestry to negotiate reciprocal agreements;  
14 prohibiting interstate transportation without a  
15 reciprocal agreement; and providing an effective  
16 date.

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

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

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

1 B. Authorized agents of the Department of Wildlife Conservation  
2 shall have the authority to enter and inspect any premises pursuant  
3 to Section 3-201 of Title 29 of the Oklahoma Statutes for the purpose  
4 of implementing and enforcing the Oklahoma Wildlife Conservation Code  
5 or rules promulgated pursuant thereto.

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

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

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

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

24

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

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

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

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

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

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

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

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

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

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

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

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

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

3       7 To fail to comply with any State Board of Agriculture order;  
4 or

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

6       B. No person shall transport live cervidae into or through  
7 Oklahoma unless the cervidae originate from a state that allows  
8 transport of live cervidae from Oklahoma into or through that state.

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

10 COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE & RURAL DEVELOPMENT,  
11 dated 3-26-12 - DO PASS, As Amended.

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24