

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 HOUSE BILL 2264

By: Cox

4
5 AS INTRODUCED

6 An Act relating to animals; amending 4 O.S. Sections
7 392, 393, 397 and 399, which relate to using animals
8 for scientific or educational activities;
9 transferring licensing duties from State Board of
10 Health to Oklahoma Department of Agriculture, Food,
11 and Forestry; providing for transfer of certain
12 records; and providing an effective date.

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

14 SECTION 1. AMENDATORY 4 O.S. 2011, Section 392, is
15 amended to read as follows:

16 Section 392. An institution requiring for the effective
17 carrying on of its scientific or educational activities the use of
18 live dogs and cats may apply to the ~~State Board of Health~~ Oklahoma
19 Department of Agriculture, Food, and Forestry for a license to
20 obtain animals from the establishment maintained and operated by
21 public funds for the confinement, care and disposal of animals
22 seized by public authority, commonly called the "dog pound". If the
23 ~~State Board of Health~~ Oklahoma Department of Agriculture, Food, and
24 Forestry finds that the institution, by reason of its ethical
standards, its personnel, its facilities and the uses it proposes to

1 make of animals is a fit and proper agency to receive a license, and
2 that the public interest would be served by the issuance of a
3 license to the institution, it shall issue a license to the
4 institution, subject to the restrictions and limitations hereinafter
5 provided.

6 SECTION 2. AMENDATORY 4 O.S. 2011, Section 393, is
7 amended to read as follows:

8 Section 393. A license shall expire annually on June 30, but
9 may be renewed annually from year to year on application to the
10 ~~State Board of Health~~ Oklahoma Department of Agriculture, Food, and
11 Forestry, and on compliance with the conditions required with
12 respect to the original issuance of the license.

13 SECTION 3. AMENDATORY 4 O.S. 2011, Section 397, is
14 amended to read as follows:

15 Section 397. The ~~State Board of Health~~ Oklahoma Department of
16 Agriculture, Food, and Forestry, after notice and a reasonable
17 opportunity to defend, may revoke the license granted an institution
18 (1) if the institution has violated any provision of this act or any
19 rule or regulation promulgated by the ~~State Board of Health~~ Oklahoma
20 Department of Agriculture, Food, and Forestry pursuant hereto; (2)
21 if the standards, personnel, facilities, practices or activities of
22 an institution are such that the continued exercise of the rights
23 conferred by the license issued to the institution is not in the
24 public interest.

1 SECTION 4. AMENDATORY 4 O.S. 2011, Section 399, is
2 amended to read as follows:

3 Section 399. A. The ~~State Board of Health~~ Oklahoma Department
4 of Agriculture, Food, and Forestry shall have the power to adopt
5 such rules and regulations, not inconsistent with the laws of
6 Oklahoma, as it may deem necessary to carry into effect the
7 provisions of this act. The ~~Commissioner of Health~~ Secretary of
8 Agriculture shall have the right whenever it deems advisable to
9 inspect or investigate any institution to which it has granted a
10 license or which has applied for a license.

11 B. Effective November 1, 2012, all records maintained by the
12 State Board of Health for the purposes of licensing institutions
13 pursuant to Sections 391-402 of this title shall be transferred to
14 the Oklahoma Department of Agriculture, Food, and Forestry.

15 SECTION 5. This act shall become effective November 1, 2012.

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