

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2925

By: Armes

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5
6 AS INTRODUCED

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

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

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

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

24 B. Authorized agents of the Department of Wildlife Conservation
shall have the authority to enter and inspect any premises pursuant

1 to Section 3-201 of Title 29 of the Oklahoma Statutes for the purpose
2 of implementing and enforcing the Oklahoma Wildlife Conservation Code
3 or rules promulgated pursuant thereto.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6 ~~8.~~ 9. To violate any provision of the Oklahoma Farmed Cervidae
7 Act.

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

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