

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1751

By: Brecheen

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5  
6 AS INTRODUCED

7 An Act relating to agriculture; amending 2 O.S. 2011,  
8 Sections 6-603, 6-609 and 6-611, which relate to the  
9 Feral Swine Control Act; adding definition; modifying  
10 transport destinations of live feral swine; modifying  
11 necessary conditions for release of feral swine;  
12 stating intent; providing for codification; and  
13 providing an effective date.

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

15 SECTION 1. AMENDATORY 2 O.S. 2011, Section 6-603, is  
16 amended to read as follows:

17 Section 6-603. As used in the Feral Swine Control Act:

18 1. "Daylight" means the period of time beginning when the sun  
19 rises and ending when the sun sets;

20 2. "Feral swine" means any hog, pig, or swine species (*Sus*  
21 *scrofa*) including, but not limited to, Russian and European wild  
22 boar that are running at large, free roaming, or wild upon public or  
23 private lands in this state;

24 3. "Owner" means any person with title to the real property or  
a person that has obtained a right to the possession and use of a

1 certain space, property, or subsurface right for a definite period  
2 of time through a contractual lease. In the event a person is  
3 permitted to come upon the real property to perform some specific  
4 act including, but not limited to, hunting, removing feral swine, or  
5 fishing, that person has no "lease" but only a "license" to do that  
6 act; ~~and~~

7 4. "Remove" means to change the location of, eliminate, or  
8 attempt to eliminate feral swine by a variety of methods including,  
9 but not limited to, hunting, killing, taking, trapping, and  
10 catching; and

11 5. "Judas pig tagging system" means a population control  
12 technique where a radio-collared feral swine is released into a  
13 control area and, after a sufficient period to allow it to join  
14 other feral swine, it is tracked down and all swine associated with  
15 the collared swine are removed.

16 SECTION 2. AMENDATORY 2 O.S. 2011, Section 6-609, is  
17 amended to read as follows:

18 Section 6-609. A. The State Board of Agriculture shall  
19 promulgate rules for the testing and intrastate movement of live  
20 feral swine.

21 B. All persons that transport live feral swine in this state  
22 shall be required to obtain a transporter license from the Oklahoma  
23 Department of Agriculture, Food, and Forestry.

24 C. Live feral swine shall only be transported to the following:

- 1 1. A licensed sporting facility;
- 2 2. A licensed breeding facility;
- 3 3. A licensed buying station;
- 4 4. A licensed gathering station;
- 5 5. Directly to an approved market or slaughter facility; ~~or~~
- 6 6. Pursuant to an order issued by the State Veterinarian; or
- 7 7. Private land for the express intent of utilizing the Judas
- 8 pig tagging system.

9 SECTION 3. AMENDATORY 2 O.S. 2011, Section 6-611, is  
10 amended to read as follows:

11 Section 6-611. A. No person shall intentionally or knowingly  
12 release or engage in, sponsor, instigate, assist, or profit from the  
13 release of any hog, boar, swine, or pig to live in a wild or feral  
14 state upon public or private lands, except for ~~release~~:

15 1. Release into a licensed sporting facility pursuant to the  
16 Feral Swine Control Act; or

17 2. Release onto private land for the express intent of  
18 utilizing the Judas pig tagging system.

19 B. No person shall knowingly or intentionally violate the  
20 importation, testing, permitting, licensing, and transportation  
21 requirements contained in the Feral Swine Control Act and rules  
22 promulgated thereto.

23 C. Any person violating the provisions of this section is  
24 guilty of a felony and subject to a maximum punishment of two (2)

1 years in prison, a fine of Two Thousand Dollars (\$2,000.00), or both  
2 fine and imprisonment.

3 SECTION 4. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 6-613 of Title 2, unless there  
5 is created a duplication in numbering, reads as follows:

6 A person shall not be considered the owner of a feral swine if,  
7 within a twenty-four-hour period, the person catches, tags, and  
8 releases the feral swine in the same location that it was caught.

9 SECTION 5. NEW LAW A new section of law to be codified  
10 in the Oklahoma Statutes as Section 6-614 of Title 2, unless there  
11 is created a duplication in numbering, reads as follows:

12 Recognizing the success of other states, like Mississippi and  
13 New Mexico, utilizing the Judas pig tagging system, the Legislature  
14 encourages using the Judas pig tagging system as an effective  
15 technique of hunting and controlling the feral swine population.

16 SECTION 6. This act shall become effective November 1, 2012.

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