

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
BILL NO. 2637

By: Denney of the House

and

Loveless of the Senate

7 An Act relating to cities and towns; amending 11 O.S.
8 2011, Section 22-115.1, which relates to dog kennel
9 restrictions; modifying location restrictions to make
applicable to commercial pet breeders; defining term;
and providing an effective date.

11 AMENDMENT NO. 1. Page 1, strike the title to read

"[cities and towns - dog kennel restrictions -
commercial pet breeders - effective date]"

14 Passed the Senate the 24th day of April, 2014.

16 _____
17 Presiding Officer of the Senate

18 Passed the House of Representatives the ____ day of _____,
19 2014.

21 _____
22 Presiding Officer of the House
23 of Representatives

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6 An Act relating to cities and towns; amending 11 O.S.
7 2011, Section 22-115.1, which relates to dog kennel
8 restrictions; modifying location restrictions to make
9 applicable to commercial pet breeders; defining term;
10 and providing an effective date.

11
12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 11 O.S. 2011, Section 22-115.1, is
14 amended to read as follows:

15 Section 22-115.1 A. Upon the effective date of this act, no
16 ~~dog kennel~~ commercial pet breeder shall be located within two
17 thousand five hundred (2,500) feet of a public or private school or
18 licensed day care facility in a municipality having a population of
19 more than three hundred thousand (300,000). Provided, this
20 prohibition shall not apply to a ~~dog kennel~~ commercial pet breeder
21 that was lawfully in operation and in full compliance with all
22 licensing, permitting and zoning requirements applicable to said
23 ~~kennel~~ commercial pet breeder prior to the effective date of this
24 act.

1 B. Upon the effective date of this act, ~~no public officer or~~
2 ~~employee~~ the Oklahoma Department of Agriculture, Food, and Forestry
3 shall not issue any type of license, permit, approval or consent for
4 a ~~dog kennel~~ commercial pet breeder to be located within two
5 thousand five hundred (2,500) feet of a public or private school or
6 licensed day care facility in a municipality having a population of
7 more than three hundred thousand (300,000).

8 C. Applications for a ~~dog kennel~~ commercial pet breeder license
9 or for any governmental permit, approval or consent needed to
10 authorize the lawful operation of a ~~dog kennel~~ commercial pet
11 breeder that are pending on the effective date of this act shall be
12 subject to the prohibitions set forth in subsections A and B of this
13 section.

14 D. The provisions of subsections A and B of this section may be
15 enforced by any public officer within whose jurisdiction a
16 noncompliant ~~dog kennel~~ commercial pet breeder is located or by any
17 other person aggrieved in any way by noncompliance with said
18 provisions. Enforcement action may include a civil suit for an
19 injunction filed in the district court in the county where a
20 noncompliant ~~dog kennel~~ commercial pet breeder is located.

21 E. Any municipality is hereby authorized to enact an ordinance
22 consistent with the provisions of this section and to enforce said
23 ordinance by prosecution of violations in the municipal court, as
24 provided by law.

1 F. For the purposes of this section, the term "~~dog kennel~~"
2 ~~means any place other than a federal, state or municipal facility,~~
3 ~~veterinary hospital or medical research institute, where more than~~
4 ~~four dogs beyond the age of six (6) months are kept, harbored,~~
5 ~~boarded, sheltered or bred~~ "commercial pet breeder" shall have the
6 same meaning as given in paragraph 7 of Section 30.2 of Title 4 of
7 the Oklahoma Statutes.

8 SECTION 2. This act shall become effective November 1, 2014.

9 Passed the House of Representatives the 3rd day of March, 2014.

11 _____
12 Presiding Officer of the House
13 of Representatives

14 Passed the Senate the ___ day of _____, 2014.

16 _____
17 Presiding Officer of the Senate