

1 ENGROSSED SENATE AMENDMENT
TO

2 ENGROSSED HOUSE
BILL NO. 1359

By: Renegar of the House

3
4 and

Ballenger of the Senate

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7
8 An Act relating to animals; amending Section 1,
Chapter 302, O.S.L. 2012 (4 O.S. Supp. 2012, Section
30.1), which relates to the Commercial Pet Breeders
9 Act of 2012 *** amending Section 3, Chapter 302,
O.S.L. 2012 (4 O.S. Supp. 2012, Section 30.3), which
10 relates to enforcement and administration of the act;
*** amending Section 5, Chapter 302, O.S.L. 2012 (4
11 O.S. Supp. 2012, Section 30.5), which relates to
application for licensure; providing for prelicense
12 inspections for animal shelters; amending Section 6,
Chapter 302, O.S.L. 2012 (4 O.S. Supp. 2012, Section
13 30.6), which relates to requirements for licensure;
providing license requirements for animal shelters;
14 *** amending Section 8, Chapter 302, O.S.L. 2012 (4
O.S. Supp. 2012, Section 30.8), which relates to
15 license renewal; *** amending Section 10, Chapter
302, O.S.L. 2012 (4 O.S. Supp. 2012, Section 30.10),
16 which relates to disclosure of license; *** amending
Section 13, Chapter 302, O.S.L. 2012 (4 O.S. Supp.
17 2012, Section 30.13), which relates to prohibited
conduct and penalties; *** amending Section 15,
18 Chapter 302, O.S.L. 2012 (4 O.S. Supp. 2012, Section
30.15), which relates to the effect of act on state
19 and local laws; *** and renaming revolving fund to
the Commercial Pet Breeders and Animal Shelter
20 Assistance Revolving Fund.

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22

23 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and
entire bill and insert

24

1 "An Act relating to animals; amending Section 1,
2 Chapter 302, O.S.L. 2012 (4 O.S. Supp. 2012, Section
3 30.1), which relates to the Commercial Pet Breeders
4 Act of 2012; renaming act to Commercial Pet Breeders
5 and Animal Shelter Licensing Act; amending Section 2,
6 Chapter 302, O.S.L. 2012 (4 O.S. Supp. 2012, Section
7 30.2), which relates to definitions; adding and
8 modifying definitions; amending Section 3, Chapter
9 302, O.S.L. 2012 (4 O.S. Supp. 2012, Section 30.3),
10 which relates to enforcement and administration of
11 the act; updating references to the act; amending
12 Section 4, Chapter 302, O.S.L. 2012 (4 O.S. Supp.
13 2012, Section 30.4), which relates to licenses and
14 requirements; requiring animal shelters to be
15 licensed and inspected; providing cage-size
16 requirements for animal shelters; amending Section 5,
17 Chapter 302, O.S.L. 2012 (4 O.S. Supp. 2012, Section
18 30.5), which relates to application for licensure;
19 providing for prelicense inspections for animal
20 shelters; amending Section 6, Chapter 302, O.S.L.
21 2012 (4 O.S. Supp. 2012, Section 30.6), which relates
22 to requirements for licensure; providing license
23 requirements for animal shelters; providing amounts
24 for certain fees; amending Section 7, Chapter 302,
O.S.L. 2012 (4 O.S. Supp. 2012, Section 30.7), which
relates to grounds for denial or revocation of
license; providing for revocation and suspension of
license for animal shelters; amending Section 8,
Chapter 302, O.S.L. 2012 (4 O.S. Supp. 2012, Section
30.8), which relates to license renewal; providing
renewal requirements for animal shelters; amending
Section 9, Chapter 302, O.S.L. 2012 (4 O.S. Supp.
2012, Section 30.9), which relates to required
information updates; requiring animal shelters to
update certain information; amending Section 10,
Chapter 302, O.S.L. 2012 (4 O.S. Supp. 2012, Section
30.10), which relates to disclosure of license;
requiring display of animal shelter license; amending
Section 12, Chapter 302, O.S.L. 2012 (4 O.S. Supp.
2012, Section 30.12), which relates to animal health
records; requiring animal shelters to maintain health
records; amending Section 13, Chapter 302, O.S.L.
2012 (4 O.S. Supp. 2012, Section 30.13), which
relates to prohibited conduct and penalties;
prohibiting certain conduct and providing penalties
for animal shelters; amending Section 14, Chapter
302, O.S.L. 2012 (4 O.S. Supp. 2012, Section 30.14),

1 which relates to state disclosure duties; requiring
2 State Board of Agriculture to maintain directory of
3 animal shelters; amending Section 15, Chapter 302,
4 O.S.L. 2012 (4 O.S. Supp. 2012, Section 30.15), which
5 relates to the effect of act on state and local laws;
6 updating references to the act; amending Section 16,
7 Chapter 302, O.S.L. 2012 (4 O.S. Supp. 2012, Section
8 30.16), which relates to the Commercial Pet Breeders
9 Assistance Revolving Fund; and renaming revolving
10 fund to the Commercial Pet Breeders and Animal
11 Shelter Assistance Revolving Fund.

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

13 SECTION 1. AMENDATORY Section 1, Chapter 302, O.S.L.
14 2012 (4 O.S. Supp. 2012, Section 30.1), is amended to read as
15 follows:

16 Section 30.1. This act shall be known and may be cited as the
17 "Commercial Pet Breeders and Animal Shelter Licensing Act of 2012"
18 and shall be administered by the State Board of Agriculture.

19 SECTION 2. AMENDATORY Section 2, Chapter 302, O.S.L.
20 2012 (4 O.S. Supp. 2012, Section 30.2), is amended to read as
21 follows:

22 Section 30.2. As used in the Commercial Pet Breeders and Animal
23 Shelter Licensing Act of 2012:

24 1. "Adult animal" means an intact female animal twelve (12)
months of age or older;

2. "Animal" means a dog or a cat;

3. "Animal shelter" means any nongovernmental facility that
maintains ten or more dogs and cats operated by or under contract

1 for the state, a county, a municipal corporation, or any other
2 political subdivision of the state for the purpose of impounding or
3 harboring seized, stray, homeless, abandoned or unwanted dogs or
4 cats; and any facility that maintains ten or more dogs and cats
5 operated, owned, or maintained by any person or organization for
6 such purpose, but not including any facility that does not house or
7 harbor dogs or cats on the premises and only operates through a
8 system of fostering in private homes;

9 4. "Animal shelter operator" means any individual, entity,
10 association, trust, or corporation that operates a nongovernmental
11 facility that maintains ten or more dogs and cats for the purpose of
12 impounding or harboring seized, stray, homeless, abandoned or
13 unwanted dogs or cats, but not including any facility that does not
14 house or harbor dogs or cats on the premises and only operates
15 through a system of fostering in private homes;

16 5. "Board" means the State Board of Agriculture;

17 ~~4.~~ 6. "Cat" means a mammal that is wholly or partly of the
18 species Felis domesticus;

19 ~~5.~~ 7. "Commercial breeder" and "commercial pet breeder" mean
20 any individual, entity, association, trust, or corporation who
21 possesses eleven or more intact female animals for the use of
22 breeding or dealing in animals for direct or indirect sale or for
23 exchange in return for consideration;

24

1 ~~6.~~ 8. "Commercial pet breeder license" means a license issued
2 to any person that qualifies and is licensed as a commercial pet
3 breeder;

4 ~~7.~~ 9. "Animal shelter license" means a license issued to any
5 applicant that qualifies and is licensed as an animal shelter
6 operator;

7 10. "Department" means the Oklahoma Department of Agriculture,
8 Food, and Forestry;

9 ~~8.~~ 11. "Dog" means a mammal that is wholly or partly of the
10 species *Canis familiaris*;

11 ~~9.~~ 12. "Facility" means the premises used by one or more animal
12 shelter operators or commercial breeders ~~for keeping, housing, or~~
13 ~~breeding animals~~. The term includes all buildings, property, and
14 confinement areas in a single location used to conduct the animal
15 shelter or commercial breeding business;

16 ~~10.~~ 13. "Family member" means the parent, spouse, child, or
17 sibling of an individual;

18 ~~11.~~ 14. "Humane society" means a nonprofit organization exempt
19 from federal income taxation as an organization described in Section
20 501(c)(3), Internal Revenue Code of 1986, as amended, that has as a
21 principal purpose the prevention of animal cruelty or the sheltering
22 of, caring for, and providing of homes for lost, stray, and
23 abandoned animals;

24

1 ~~12.~~ 15. "Inspector" means an authorized agent of the Board or
2 any other qualified person authorized by the Department to conduct
3 inspections;

4 ~~13.~~ 16. "Intact female animal" means a female animal, nine (9)
5 months of age or older, and not spayed;

6 ~~14.~~ 17. "Kitten" means a cat less than twelve (12) months old;

7 ~~15.~~ 18. "Local animal control authority" means a municipal or
8 county animal control office with authority over the premises in
9 which an animal is kept or, in an area that does not have an animal
10 control office, the county sheriff;

11 ~~16.~~ 19. "Marketing" means the solicitation for sale of animals;

12 ~~17.~~ 20. "Noncommercial breeder" means any individual, entity,
13 association, trust, or corporation who possesses ten or fewer intact
14 female animals for the use of breeding or dealing in animals for
15 direct or indirect sale or for exchange in return for consideration;

16 ~~18.~~ 21. "Person" means any individual, association, trust,
17 corporation, limited liability company, partnership, or other
18 entity;

19 ~~19.~~ 22. "Pet" means a dog or cat, including a puppy or kitten;

20 ~~20.~~ 23. "Possess" means to have custody of or control over;

21 ~~21.~~ 24. "Puppy" means a dog less than twelve (12) months old;

22 and

23 ~~22.~~ 25. "Veterinarian" means a person currently licensed to
24 practice veterinary medicine in Oklahoma.

1 SECTION 3. AMENDATORY Section 3, Chapter 302, O.S.L.
2 2012 (4 O.S. Supp. 2012, Section 30.3), is amended to read as
3 follows:

4 Section 30.3. A. The State Board of Agriculture shall enforce
5 and administer the provisions of the Commercial Pet Breeders and
6 Animal Shelter Licensing Act of 2012.

7 B. The Board shall adopt the rules necessary to enforce and
8 administer the Commercial Pet Breeders and Animal Shelter Licensing
9 Act of 2012, including but not limited to rules that:

- 10 1. Establish standards for care;
- 11 2. Establish reasonable and necessary fees;
- 12 3. Establish exemptions for intact female animals held solely
13 for the purpose of training and that are not bred, with
14 documentation to include sales and training records;
- 15 4. Establish provisions related to initial and renewal
16 applications, revocation or nonrenewal of licenses, procedures for
17 sale of animals, and procedures for making complaints; and
- 18 5. Establish any other rules deemed necessary by the Board.

19 SECTION 4. AMENDATORY Section 4, Chapter 302, O.S.L.
20 2012 (4 O.S. Supp. 2012, Section 30.4), is amended to read as
21 follows:

22 Section 30.4. A. A person shall not act, offer to act, or hold
23 himself or herself out as a commercial pet breeder or operate an
24 animal shelter in this state unless the person holds a ~~commercial~~

1 ~~pet breeder~~ license obtained pursuant to the Commercial Pet Breeders
2 and Animal Shelter Licensing Act of 2012 for each facility that the
3 person owns or operates in this state.

4 B. It shall be unlawful for any person to act as a commercial
5 pet breeder licensee, or operate as an animal shelter licensee, or
6 to hold himself or herself out as such, unless the person shall have
7 been licensed to do so under the Commercial Pet Breeders and Animal
8 Shelter Licensing Act of 2012.

9 C. An applicant for a an animal shelter or commercial pet
10 breeder license shall meet the criteria established by the State
11 Board of Agriculture through rules promulgated pursuant to the
12 Commercial Pet Breeders and Animal Shelter Licensing Act of 2012.

13 D. Any animal shelter operator or commercial pet breeder that
14 applies for a an animal shelter or commercial pet breeder license no
15 later than September 1, ~~2012~~ 2013, shall not be required to meet any
16 cage-size requirement more stringent than United States Department
17 of Agriculture standards. Regardless of license application date,
18 any animal shelter operator or commercial pet breeder replacing or
19 adding cages after September 1, ~~2012~~ 2013, shall meet the cage-size
20 requirements as of the date of replacement or addition.

21 SECTION 5. AMENDATORY Section 5, Chapter 302, O.S.L.
22 2012 (4 O.S. Supp. 2012, Section 30.5), is amended to read as
23 follows:
24

1 Section 30.5. A. The Oklahoma Department of Agriculture, Food,
2 and Forestry may contract with a local veterinarian licensed by the
3 state, other state agency or any other qualified person to conduct
4 or assist in an initial prelicense inspection and annual
5 inspections.

6 B. The Department shall arrange for an inspection at a facility
7 prior to issuance of an initial animal shelter or commercial pet
8 breeder license for that facility.

9 1. The Department shall not issue ~~a~~ an animal shelter or
10 commercial pet breeder license to any person until the Department
11 receives an initial prelicense inspection report from the inspector
12 in a format approved by the Department certifying that the facility
13 meets the requirements of the Commercial Pet Breeders and Animal
14 Shelter Licensing Act of 2012.

15 2. Prior to the initial prelicense inspection, each applicant
16 shall pay to the Department a nonrefundable inspection fee.

17 C. The Department, at least annually, shall arrange for the
18 inspection of each facility of a licensed animal shelter operator or
19 commercial breeder. The inspection shall be conducted during normal
20 business hours and the animal shelter operator, commercial breeder
21 or a representative of the ~~commercial breeder~~ facility shall be
22 present during the inspection.

23 D. The inspector shall submit an inspection report to the
24 Department not later than ten (10) days after the date of the

1 inspection on a form prescribed by the Department and provide a copy
2 of the report to the animal shelter operator, commercial breeder or
3 the representative.

4 E. On receipt of a valid written complaint alleging a violation
5 of the Commercial Pet Breeders and Animal Shelter Licensing Act of
6 ~~2012~~, an authorized agent of the State Board of Agriculture, a local
7 animal control authority, or an inspector designated by the
8 Department may investigate the alleged violation.

9 F. The Department shall not hire any humane society group or
10 member of any humane society group to perform any inspection
11 required by the Commercial Pet Breeders and Animal Shelter Licensing
12 Act of ~~2012~~.

13 SECTION 6. AMENDATORY Section 6, Chapter 302, O.S.L.
14 2012 (4 O.S. Supp. 2012, Section 30.6), is amended to read as
15 follows:

16 Section 30.6. A. The Oklahoma Department of Agriculture, Food,
17 and Forestry shall issue ~~a~~ an animal shelter or commercial pet
18 breeder license to each ~~commercial pet breeder~~ applicant who:

19 1. Meets the requirements of the Commercial Pet Breeders and
20 Animal Shelter Licensing Act of ~~2012~~;

21 2. Applies to the Department on the form prescribed by the
22 Department; and

23 3. Pays the required fee.

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1 B. ~~A~~ An animal shelter operator or commercial pet breeder shall
2 obtain a separate license for each facility where ~~breeding~~ animals
3 are kept. A separate license shall be issued for each facility ~~of~~
4 ~~the commercial pet breeder, whether or not the breeder has eleven or~~
5 ~~more intact female,~~ regardless of the number of animals at each
6 facility.

7 C. If a single facility is shared by more than one person, each
8 person shall be required to become individually licensed if:

9 1. For commercial pet breeders, eleven or more intact females
10 used for breeding are housed at the facility; or

11 2. For animal shelter operators, ten or more cats and dogs are
12 maintained at the facility.

13 D. A license issued under the Commercial Pet Breeders and
14 Animal Shelter Licensing Act of 2012 is valid until July 1 of each
15 calendar year and is nontransferable.

16 E. The nonrefundable animal shelter license and renewal fee
17 shall be the same as the fee for a commercial pet breeder with
18 eleven to twenty intact female animals.

19 SECTION 7. AMENDATORY Section 7, Chapter 302, O.S.L.
20 2012 (4 O.S. Supp. 2012, Section 30.7), is amended to read as
21 follows:

22 Section 30.7. The Oklahoma Department of Agriculture, Food, and
23 Forestry may deny a license, or renewal thereof, or revoke a license
24 of any applicant, animal shelter operator or commercial pet breeder

1 who fails to meet the standards of animal care or fails to follow
2 the application process adopted by the Department, or if the person:

3 1. Is convicted of a crime involving animal cruelty;

4 2. Is convicted of violating the Commercial Pet Breeders and
5 Animal Shelter Licensing Act of 2012 more than three times;

6 3. Is convicted of a type of felony specified by subparagraphs
7 a through pp of paragraph 2 of Section 571 of Title 57 of the
8 Oklahoma Statutes;

9 4. Is convicted of a felony punishable under the Oklahoma
10 Racketeer-Influenced and Corrupt Organizations Act; or

11 5. Has held or applied for a United States Department of
12 Agriculture license pursuant to the Animal Welfare Act and whose
13 license was suspended or revoked, or whose application was refused
14 due to the improper care of animals.

15 SECTION 8. AMENDATORY Section 8, Chapter 302, O.S.L.
16 2012 (4 O.S. Supp. 2012, Section 30.8), is amended to read as
17 follows:

18 Section 30.8. A. A An animal shelter operator or commercial
19 pet breeder who is not in violation of the Commercial Pet Breeders
20 and Animal Shelter Licensing Act of 2012 or any rule adopted under
21 the Commercial Pet Breeders and Animal Shelter Licensing Act of 2012
22 may renew the license of the person by:

23

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1 1. Submitting a renewal application to the Oklahoma Department
2 of Agriculture, Food, and Forestry on the form prescribed by the
3 Department;

4 2. Complying with any other renewal requirements adopted by the
5 Department; and

6 3. Paying the required fee.

7 B. Any person who fails to apply for a renewal in a manner
8 prescribed by the Department, and whose license has expired, may not
9 engage in activities that require a license until the license has
10 been renewed.

11 C. Not later than sixty (60) days before the expiration of the
12 license, the Department shall send written notice of the impending
13 license expiration to the animal shelter operator or commercial pet
14 breeder at the last-known address according to the records of the
15 Department.

16 SECTION 9. AMENDATORY Section 9, Chapter 302, O.S.L.
17 2012 (4 O.S. Supp. 2012, Section 30.9), is amended to read as
18 follows:

19 Section 30.9. ~~A~~ An animal shelter operator or commercial pet
20 breeder shall notify the Oklahoma Department of Agriculture, Food,
21 and Forestry in writing not later than ten (10) days after the date
22 any change occurs in the address, name, management, substantial
23 control, or ownership of the business or operation.

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1 SECTION 10. AMENDATORY Section 10, Chapter 302, O.S.L.
2 2012 (4 O.S. Supp. 2012, Section 30.10), is amended to read as
3 follows:

4 Section 30.10. ~~A~~ An animal shelter operator and commercial pet
5 breeder shall:

6 ~~1. Prominently~~ prominently display a copy of the animal shelter
7 license or commercial pet breeder license at the facility of the
8 animal shelter or commercial pet breeder~~+~~.

9 ~~2. Include~~ A commercial pet breeder shall include the
10 commercial pet breeder license number in each advertisement for the
11 sale or transfer of an animal by the commercial pet breeder~~+~~and.

12 ~~3. Include~~ A commercial pet breeder shall include in each
13 contract for the sale or transfer of an animal by the commercial pet
14 breeder the commercial pet breeder license number.

15 SECTION 11. AMENDATORY Section 12, Chapter 302, O.S.L.
16 2012 (4 O.S. Supp. 2012, Section 30.12), is amended to read as
17 follows:

18 Section 30.12. A. ~~A~~ An animal shelter operator and commercial
19 pet breeder shall maintain a separate health record for each animal
20 in the facility of the animal shelter operator and commercial
21 breeder documenting the healthcare of the animal.

22 B. The health record shall include:

23 1. The breed, sex, color, and identifying marks of the animal;

24 and

1 2. A record of all inoculations, medications, and other
2 veterinary medical treatment received by the animal while in the
3 possession of the animal shelter operator and commercial pet
4 breeder.

5 C. The animal shelter operator and commercial pet breeder shall
6 make the health records available on request to the Oklahoma
7 Department of Agriculture, Food, and Forestry, an authorized agent
8 of the Board, a local animal control authority, or any other
9 inspector designated by the Department.

10 SECTION 12. AMENDATORY Section 13, Chapter 302, O.S.L.
11 2012 (4 O.S. Supp. 2012, Section 30.13), is amended to read as
12 follows:

13 Section 30.13. A. After notice and opportunity for a hearing
14 in accordance with the Administrative Procedures Act, if the State
15 Board of Agriculture finds any person in violation of the Commercial
16 Pet Breeders and Animal Shelter Licensing Act ~~of 2012~~ or any rule
17 promulgated or order issued pursuant thereto, the Board shall have
18 the authority to assess an administrative penalty of not less than
19 One Hundred Dollars (\$100.00) and not more than Ten Thousand Dollars
20 (\$10,000.00) for each violation. Each animal, each action, or each
21 day a violation continues may constitute a separate and distinct
22 violation. During each license year of the facility, a facility
23 shall not be subject to more than Ten Thousand Dollars (\$10,000.00)
24 in administrative penalties assessed pursuant to this subsection.

1 B. A person commits an offense if the person violates the
2 Commercial Pet Breeders and Animal Shelter Licensing Act ~~of 2012~~ or
3 any rule adopted under the Commercial Pet Breeders and Animal
4 Shelter Licensing Act ~~of 2012~~. Each animal to which a violation
5 applies and each day that violation continues constitutes a separate
6 offense. An offense under this subsection is a misdemeanor
7 punishable as provided in subsection F of this section.

8 C. A person commits an offense if the person knowingly
9 falsifies information in a license application, annual report, or
10 record required under the Commercial Pet Breeders and Animal Shelter
11 Licensing Act ~~of 2012~~. An offense under this subsection is a
12 misdemeanor punishable as provided in subsection F of this section.

13 D. An unlicensed commercial pet breeder commits an offense if
14 the breeder advertises animals for sale. An offense under this
15 subsection is a misdemeanor punishable as provided in subsection F
16 of this section.

17 E. ~~A~~ An animal shelter or commercial pet breeder commits an
18 offense if the animal shelter or commercial breeder interferes with,
19 hinders, or thwarts any inspection or investigation under the
20 Commercial Pet Breeders and Animal Shelter Licensing Act ~~of 2012~~ or
21 refuses to allow an inspector full access to all areas of the
22 facility where animals are kept or cared for and all records
23 required to be kept under the Commercial Pet Breeders and Animal
24 Shelter Licensing Act ~~of 2012~~ or any rule adopted under the

1 Commercial Pet Breeders and Animal Shelter Licensing Act of 2012.

2 An offense under this subsection is a misdemeanor punishable as
3 provided in subsection F of this section.

4 F. 1. Any violation of subsection B, C or D of this section
5 shall be punishable by a fine not to exceed Five Hundred Dollars
6 (\$500.00).

7 2. Any violation of subsection E of this section shall be
8 punishable by a fine not to exceed One Thousand Dollars (\$1,000.00).

9 G. In addition to penalties and fines, the Board shall have
10 authority to obtain injunctions against anyone who violates the
11 Commercial Pet Breeders and Animal Shelter Licensing Act of 2012,
12 and shall have authority to obtain or impose civil monetary
13 penalties on anyone who violates the Commercial Pet Breeders and
14 Animal Shelter Licensing Act of 2012, and upon obtaining a court
15 order, shall have authority to seize and impound animals in the
16 possession, custody, or care of that person if there is reason to
17 believe that the health, safety, or welfare of the animals is
18 endangered, or the animals are in imminent danger. The reasonable
19 costs of transportation, care, and feeding of seized and impounded
20 animals shall be paid by the person from whom the dogs or cats were
21 seized and impounded.

22 H. Nothing in the Commercial Pet Breeders and Animal Shelter
23 Licensing Act of 2012 shall preclude the Board from seeking
24 penalties in district court in the maximum amount allowed by law.

1 The assessment of penalties in an administrative enforcement
2 proceeding shall not prevent the subsequent assessment by a court of
3 the maximum civil or criminal penalties for violations of the
4 Commercial Pet Breeders and Animal Shelter Licensing Act ~~of 2012~~ and
5 rules promulgated pursuant thereto.

6 I. Any person assessed an administrative or civil penalty may
7 be required to pay, in addition to the penalty amount and interest
8 thereon, attorney fees and costs associated with the collection of
9 the penalties.

10 J. If any person refuses, denies or interferes with any right
11 of access, the Board shall have the right to apply to and obtain
12 from a district court an administrative or other warrant as
13 necessary to enforce the right of access and inspection.

14 SECTION 13. AMENDATORY Section 14, Chapter 302, O.S.L.
15 2012 (4 O.S. Supp. 2012, Section 30.14), is amended to read as
16 follows:

17 Section 30.14. The State Board of Agriculture shall maintain
18 and post on its website the directory of animal shelters and
19 commercial pet breeders licensed pursuant to the Commercial Pet
20 Breeders and Animal Shelter Licensing Act ~~of 2012~~. The Board shall
21 post on its website the directory of animal shelters and commercial
22 pet breeders who have been denied licensing, or whose licenses have
23 been revoked.

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1 SECTION 14. AMENDATORY Section 15, Chapter 302, O.S.L.
2 2012 (4 O.S. Supp. 2012, Section 30.15), is amended to read as
3 follows:

4 Section 30.15. A. The Commercial Pet Breeders and Animal
5 Shelter Licensing Act ~~of 2012~~ shall not affect the applicability of
6 any other law, rule, order, ordinance, or other legal requirement of
7 the federal government, this state, or a political subdivision of
8 this state.

9 B. The Commercial Pet Breeders and Animal Shelter Licensing Act
10 ~~of 2012~~ shall not prevent a municipality or county from prohibiting
11 or further regulating by order or ordinance, the possession,
12 breeding, or selling of dogs or cats.

13 SECTION 15. AMENDATORY Section 16, Chapter 302, O.S.L.
14 2012 (4 O.S. Supp. 2012, Section 30.16), is amended to read as
15 follows:

16 Section 30.16. A. There is hereby created in the State
17 Treasury a revolving fund for the Oklahoma Department of
18 Agriculture, Food, and Forestry to be designated the Commercial Pet
19 Breeders and Animal Shelter Assistance Revolving Fund. All monies
20 accruing to the credit of the Commercial Pet Breeders and Animal
21 Shelter Assistance Revolving Fund are hereby appropriated and may be
22 budgeted and expended by the Department for the purposes set forth
23 in subsection C of this section. The fund shall be a continuing
24 fund not subject to fiscal year limitations and shall consist of:

1 1. All monies received by the Department for sheltering of
2 seized animals pursuant to the Commercial Pet Breeders and Animal
3 Shelter Licensing Act of 2012; and

4 2. Money received by the Department in the form of gifts,
5 grants, reimbursements, or from any other source intended to be used
6 for the purposes specified by or collected pursuant to the
7 provisions of this section of the Commercial Pet Breeders and Animal
8 Shelter Licensing Act of 2012.

9 B. The monies deposited in the Commercial Pet Breeders and
10 Animal Shelter Assistance Revolving Fund shall be excluded from
11 budget and expenditure limitations and shall at no time become part
12 of the general budget of the Department or any other state agency.
13 Except as provided for in this section, no monies from the
14 Commercial Pet Breeders and Animal Shelter Assistance Revolving Fund
15 shall be transferred for any purpose to any other state agency or
16 any account of the Department or be used for the purpose of
17 contracting with any other state agency or reimbursing any other
18 state agency for any expense.

19 C. The Commercial Pet Breeders and Animal Shelter Assistance
20 Revolving Fund shall be utilized for defraying veterinary costs for
21 animals in the event of a removal of animals from ~~a~~ an animal
22 shelter or commercial pet breeder. The fund may, in the discretion
23 of the State Board of Agriculture, also be used to defray costs
24

1 associated with care of animals including, but not limited to, feed
2 and shelter."

3 Passed the Senate the 17th day of April, 2013.

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Presiding Officer of the Senate

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7 Passed the House of Representatives the ____ day of _____,
8 2013.

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Presiding Officer of the House
of Representatives

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