

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 SENATE BILL NO. 1591

By: Loveless of the Senate

and

6 Denney of the House

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10 COMMITTEE SUBSTITUTE

11 An Act relating to cities and towns; amending 11 O.S.
12 2011, Section 22-115.1, which relates to dog kennel
13 restrictions; modifying location restrictions to make
14 applicable to commercial pet breeders; deleting
15 definition; defining term; and providing an effective
16 date.

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

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

20 Section 22-115.1. A. Upon the effective date of this act, no
21 ~~dog kennel~~ commercial pet breeder shall be located within two
22 thousand five hundred (2,500) feet of a public or private school or
23 licensed day care facility in a municipality having a population of
24 more than three hundred thousand (300,000). Provided, this

1 prohibition shall not apply to a ~~dog kennel~~ commercial pet breeder
2 that was lawfully in operation and in full compliance with all
3 licensing, permitting and zoning requirements applicable to ~~said~~
4 ~~kennel~~ the commercial pet breeder prior to the effective date of
5 this act.

6 B. Upon the effective date of this act, no public officer or
7 employee shall issue any type of license, permit, approval or
8 consent for a ~~dog kennel~~ commercial pet breeder to be located within
9 two thousand five hundred (2,500) feet of a public or private school
10 or licensed day care facility in a municipality having a population
11 of more than three hundred thousand (300,000).

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

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

1 E. Any municipality is hereby authorized to enact an ordinance
2 consistent with the provisions of this section and to enforce ~~said~~
3 the ordinance by prosecution of violations in the municipal court,
4 as provided by law.

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

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

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