

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   2nd Session of the 54th Legislature (2014)

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

By: Loveless of the Senate

and

Denney of the House

7  
8  
9                                   COMMITTEE SUBSTITUTE

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

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

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

19                   Section 22-115.1. A. Upon the effective date of this act, no  
20 ~~dog kennel~~ commercial pet breeder shall be located within two  
21 thousand five hundred (2,500) feet of a public or private school or  
22 licensed day care facility in a municipality having a population of  
23 more than three hundred thousand (300,000). Provided, this  
24 prohibition shall not apply to a ~~dog kennel~~ commercial pet breeder

1 that was lawfully in operation and in full compliance with all  
2 licensing, permitting and zoning requirements applicable to ~~said~~  
3 ~~kenne~~ the commercial pet breeder prior to the effective date of  
4 this act.

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

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

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

24

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.

13  
14 COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE AND WILDLIFE, dated  
15 03/27/2014 - DO PASS, As Amended.  
16  
17  
18  
19  
20  
21  
22  
23  
24