

1 **SENATE FLOOR VERSION**

2 March 18, 2013

3 **AS AMENDED**

4 ENGROSSED HOUSE

5 BILL NO. 1359

6 By: Renegar of the House

7 and

8 Ballenger of the Senate

9 An Act relating to animals; amending Section 1,
10 Chapter 302, O.S.L. 2012 (4 O.S. Supp. 2012, Section
11 30.1), which relates to the Commercial Pet Breeders
12 Act of 2012; renaming act to Commercial Pet Breeders
13 and Animal Shelter Licensing Act; amending Section 2,
14 Chapter 302, O.S.L. 2012 (4 O.S. Supp. 2012, Section
15 30.2), which relates to definitions; adding and
16 modifying definitions; amending Section 3, Chapter
17 302, O.S.L. 2012 (4 O.S. Supp. 2012, Section 30.3),
18 which relates to enforcement and administration of
19 the act; updating references to the act; amending
20 Section 4, Chapter 302, O.S.L. 2012 (4 O.S. Supp.
21 2012, Section 30.4), which relates to licenses and
22 requirements; requiring animal shelters to be
23 licensed and inspected; providing cage-size
24 requirements for animal shelters; amending Section 5,
Chapter 302, O.S.L. 2012 (4 O.S. Supp. 2012, Section
30.5), which relates to application for licensure;
providing for prelicense inspections for animal
shelters; amending Section 6, Chapter 302, O.S.L.
2012 (4 O.S. Supp. 2012, Section 30.6), which relates
to requirements for licensure; providing license
requirements for animal shelters; providing amounts
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.

1 2012, Section 30.9), which relates to required
2 information updates; requiring animal shelters to
3 update certain information; amending Section 10,
4 Chapter 302, O.S.L. 2012 (4 O.S. Supp. 2012, Section
5 30.10), which relates to disclosure of license;
6 requiring display of animal shelter license; amending
7 Section 12, Chapter 302, O.S.L. 2012 (4 O.S. Supp.
8 2012, Section 30.12), which relates to animal health
9 records; requiring animal shelters to maintain health
10 records; amending Section 13, Chapter 302, O.S.L.
11 2012 (4 O.S. Supp. 2012, Section 30.13), which
12 relates to prohibited conduct and penalties;
13 prohibiting certain conduct and providing penalties
14 for animal shelters; amending Section 14, Chapter
15 302, O.S.L. 2012 (4 O.S. Supp. 2012, Section 30.14),
16 which relates to state disclosure duties; requiring
17 State Board of Agriculture to maintain directory of
18 animal shelters; amending Section 15, Chapter 302,
19 O.S.L. 2012 (4 O.S. Supp. 2012, Section 30.15), which
20 relates to the effect of act on state and local laws;
21 updating references to the act; amending Section 16,
22 Chapter 302, O.S.L. 2012 (4 O.S. Supp. 2012, Section
23 30.16), which relates to the Commercial Pet Breeders
24 Assistance Revolving Fund; and renaming revolving
fund to the Commercial Pet Breeders and Animal
Shelter Assistance Revolving Fund.

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

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

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

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

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

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

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

9 3. "Animal shelter" means any facility that maintains ten or
10 more dogs and cats operated by or under contract for the state, a
11 county, a municipal corporation, or any other political subdivision
12 of the state for the purpose of impounding or harboring seized,
13 stray, homeless, abandoned or unwanted dogs or cats; and any
14 facility that maintains ten or more dogs and cats operated, owned,
15 or maintained by any person or organization for such purpose, but
16 not including any facility that does not house or harbor dogs or
17 cats on the premises and only operates through a system of fostering
18 in private homes;

19 4. "Animal shelter operator" means any individual, entity,
20 association, trust, or corporation that operates a facility that
21 maintains ten or more dogs and cats for the purpose of impounding or
22 harboring seized, stray, homeless, abandoned or unwanted dogs or
23 cats, but not including any facility that does not house or harbor

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1 dogs or cats on the premises and only operates through a system of
2 fostering in private homes;

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

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

6 ~~5.~~ 7. "Commercial breeder" and "commercial pet breeder" mean
7 any individual, entity, association, trust, or corporation who
8 possesses eleven or more intact female animals for the use of
9 breeding or dealing in animals for direct or indirect sale or for
10 exchange in return for consideration;

11 ~~6.~~ 8. "Commercial pet breeder license" means a license issued
12 to any person that qualifies and is licensed as a commercial pet
13 breeder;

14 ~~7.~~ 9. "Animal shelter license" means a license issued to any
15 applicant that qualifies and is licensed as an animal shelter
16 operator;

17 10. "Department" means the Oklahoma Department of Agriculture,
18 Food, and Forestry;

19 ~~8.~~ 11. "Dog" means a mammal that is wholly or partly of the
20 species *Canis familiaris*;

21 ~~9.~~ 12. "Facility" means the premises used by one or more animal
22 shelter operators or commercial breeders ~~for keeping, housing, or~~
23 ~~breeding animals.~~ The term includes all buildings, property, and
24

1 confinement areas in a single location used to conduct the animal
2 shelter or commercial breeding business;

3 ~~10.~~ 13. "Family member" means the parent, spouse, child, or
4 sibling of an individual;

5 ~~11.~~ 14. "Humane society" means a nonprofit organization exempt
6 from federal income taxation as an organization described in Section
7 501(c)(3), Internal Revenue Code of 1986, as amended, that has as a
8 principal purpose the prevention of animal cruelty or the sheltering
9 of, caring for, and providing of homes for lost, stray, and
10 abandoned animals;

11 ~~12.~~ 15. "Inspector" means an authorized agent of the Board or
12 any other qualified person authorized by the Department to conduct
13 inspections;

14 ~~13.~~ 16. "Intact female animal" means a female animal, nine (9)
15 months of age or older, and not spayed;

16 ~~14.~~ 17. "Kitten" means a cat less than twelve (12) months old;

17 ~~15.~~ 18. "Local animal control authority" means a municipal or
18 county animal control office with authority over the premises in
19 which an animal is kept or, in an area that does not have an animal
20 control office, the county sheriff;

21 ~~16.~~ 19. "Marketing" means the solicitation for sale of animals;

22 ~~17.~~ 20. "Noncommercial breeder" means any individual, entity,
23 association, trust, or corporation who possesses ten or fewer intact
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1 female animals for the use of breeding or dealing in animals for
2 direct or indirect sale or for exchange in return for consideration;

3 ~~18.~~ 21. "Person" means any individual, association, trust,
4 corporation, limited liability company, partnership, or other
5 entity;

6 ~~19.~~ 22. "Pet" means a dog or cat, including a puppy or kitten;

7 ~~20.~~ 23. "Possess" means to have custody of or control over;

8 ~~21.~~ 24. "Puppy" means a dog less than twelve (12) months old;

9 and

10 ~~22.~~ 25. "Veterinarian" means a person currently licensed to
11 practice veterinary medicine in Oklahoma.

12 SECTION 3. AMENDATORY Section 3, Chapter 302, O.S.L.
13 2012 (4 O.S. Supp. 2012, Section 30.3), is amended to read as
14 follows:

15 Section 30.3. A. The State Board of Agriculture shall enforce
16 and administer the provisions of the Commercial Pet Breeders and
17 Animal Shelter Licensing Act of 2012.

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

21 1. Establish standards for care;

22 2. Establish reasonable and necessary fees;

23

24

1 3. Establish exemptions for intact female animals held solely
2 for the purpose of training and that are not bred, with
3 documentation to include sales and training records;

4 4. Establish provisions related to initial and renewal
5 applications, revocation or nonrenewal of licenses, procedures for
6 sale of animals, and procedures for making complaints; and

7 5. Establish any other rules deemed necessary by the Board.

8 SECTION 4. AMENDATORY Section 4, Chapter 302, O.S.L.
9 2012 (4 O.S. Supp. 2012, Section 30.4), is amended to read as
10 follows:

11 Section 30.4. A. A person shall not act, offer to act, or hold
12 himself or herself out as a commercial pet breeder or operate an
13 animal shelter in this state unless the person holds a ~~commercial~~
14 ~~pet breeder~~ license obtained pursuant to the Commercial Pet Breeders
15 and Animal Shelter Licensing Act of 2012 for each facility that the
16 person owns or operates in this state.

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

22 C. An applicant for a an animal shelter or commercial pet
23 breeder license shall meet the criteria established by the State
24

1 Board of Agriculture through rules promulgated pursuant to the
2 Commercial Pet Breeders and Animal Shelter Licensing Act ~~of 2012~~.

3 D. Any animal shelter operator or commercial pet breeder that
4 applies for a an animal shelter or commercial pet breeder license no
5 later than September 1, ~~2012~~ 2013, shall not be required to meet any
6 cage-size requirement more stringent than United States Department
7 of Agriculture standards. Regardless of license application date,
8 any animal shelter operator or commercial pet breeder replacing or
9 adding cages after September 1, ~~2012~~ 2013, shall meet the cage-size
10 requirements as of the date of replacement or addition.

11 SECTION 5. AMENDATORY Section 5, Chapter 302, O.S.L.
12 2012 (4 O.S. Supp. 2012, Section 30.5), is amended to read as
13 follows:

14 Section 30.5. A. The Oklahoma Department of Agriculture, Food,
15 and Forestry may contract with a local veterinarian licensed by the
16 state, other state agency or any other qualified person to conduct
17 or assist in an initial prelicense inspection and annual
18 inspections.

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

22 1. The Department shall not issue a an animal shelter or
23 commercial pet breeder license to any person until the Department
24 receives an initial prelicense inspection report from the inspector

1 in a format approved by the Department certifying that the facility
2 meets the requirements of the Commercial Pet Breeders and Animal
3 Shelter Licensing Act ~~of 2012~~.

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

6 C. The Department, at least annually, shall arrange for the
7 inspection of each facility of a licensed animal shelter operator or
8 commercial breeder. The inspection shall be conducted during normal
9 business hours and the animal shelter operator, commercial breeder
10 or a representative of the ~~commercial breeder~~ facility shall be
11 present during the inspection.

12 D. The inspector shall submit an inspection report to the
13 Department not later than ten (10) days after the date of the
14 inspection on a form prescribed by the Department and provide a copy
15 of the report to the animal shelter operator, commercial breeder or
16 the representative.

17 E. On receipt of a valid written complaint alleging a violation
18 of the Commercial Pet Breeders and Animal Shelter Licensing Act ~~of~~
19 ~~2012~~, an authorized agent of the State Board of Agriculture, a local
20 animal control authority, or an inspector designated by the
21 Department may investigate the alleged violation.

22 F. The Department shall not hire any humane society group or
23 member of any humane society group to perform any inspection
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1 required by the Commercial Pet Breeders and Animal Shelter Licensing
2 Act ~~of 2012~~.

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

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

9 1. Meets the requirements of the Commercial Pet Breeders and
10 Animal Shelter Licensing Act of 2012;

11 2. Applies to the Department on the form prescribed by the
12 Department; and

13 3. Pays the required fee; provided, that all municipal and
14 county animal shelters or animal rescue facilities in existence on
15 the effective date of this act shall not be required to pay the fee.

16 B. A An animal shelter operator or commercial pet breeder shall
17 obtain a separate license for each facility where ~~breeding~~ animals
18 are kept. A separate license shall be issued for each facility ~~of~~
19 ~~the commercial pet breeder, whether or not the breeder has eleven or~~
20 ~~more intact female,~~ regardless of the number of animals at each
21 facility.

22 C. If a single facility is shared by more than one person, each
23 person shall be required to become individually licensed if:
24

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

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

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

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

11 SECTION 7. AMENDATORY Section 7, Chapter 302, O.S.L.
12 2012 (4 O.S. Supp. 2012, Section 30.7), is amended to read as
13 follows:

14 Section 30.7. The Oklahoma Department of Agriculture, Food, and
15 Forestry may deny a license, or renewal thereof, or revoke a license
16 of any applicant, animal shelter operator or commercial pet breeder
17 who fails to meet the standards of animal care or fails to follow
18 the application process adopted by the Department, or if the person:

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

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

22 3. Is convicted of a type of felony specified by subparagraphs
23 a through pp of paragraph 2 of Section 571 of Title 57 of the
24 Oklahoma Statutes;

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

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

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

10 Section 30.8. A. ~~A~~ An animal shelter operator or commercial
11 pet breeder who is not in violation of the Commercial Pet Breeders
12 and Animal Shelter Licensing Act of 2012 or any rule adopted under
13 the Commercial Pet Breeders and Animal Shelter Licensing Act ~~of 2012~~
14 may renew the license of the person by:

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

18 2. Complying with any other renewal requirements adopted by the
19 Department; and

20 3. Paying the required fee.

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

1 C. Not later than sixty (60) days before the expiration of the
2 license, the Department shall send written notice of the impending
3 license expiration to the animal shelter operator or commercial pet
4 breeder at the last-known address according to the records of the
5 Department.

6 SECTION 9. AMENDATORY Section 9, Chapter 302, O.S.L.
7 2012 (4 O.S. Supp. 2012, Section 30.9), is amended to read as
8 follows:

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

14 SECTION 10. AMENDATORY Section 10, Chapter 302, O.S.L.
15 2012 (4 O.S. Supp. 2012, Section 30.10), is amended to read as
16 follows:

17 Section 30.10. ~~A~~ An animal shelter operator and commercial pet
18 breeder shall:

19 ~~1. Prominently~~ prominently display a copy of the animal shelter
20 license or commercial pet breeder license at the facility of the
21 animal shelter or commercial pet breeder.

22 ~~2. Include~~ A commercial pet breeder shall include the
23 commercial pet breeder license number in each advertisement for the
24 sale or transfer of an animal by the commercial pet breeder, ~~and~~.

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

4 SECTION 11. AMENDATORY Section 12, Chapter 302, O.S.L.
5 2012 (4 O.S. Supp. 2012, Section 30.12), is amended to read as
6 follows:

7 Section 30.12. A. ~~A~~ An animal shelter operator and commercial
8 pet breeder shall maintain a separate health record for each animal
9 in the facility of the animal shelter operator and commercial
10 breeder documenting the healthcare of the animal.

11 B. The health record shall include:

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

14 2. A record of all inoculations, medications, and other
15 veterinary medical treatment received by the animal while in the
16 possession of the animal shelter operator and commercial pet
17 breeder.

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

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1 SECTION 12. AMENDATORY Section 13, Chapter 302, O.S.L.
2 2012 (4 O.S. Supp. 2012, Section 30.13), is amended to read as
3 follows:

4 Section 30.13. A. After notice and opportunity for a hearing
5 in accordance with the Administrative Procedures Act, if the State
6 Board of Agriculture finds any person in violation of the Commercial
7 Pet Breeders and Animal Shelter Licensing Act ~~of 2012~~ or any rule
8 promulgated or order issued pursuant thereto, the Board shall have
9 the authority to assess an administrative penalty of not less than
10 One Hundred Dollars (\$100.00) and not more than Ten Thousand Dollars
11 (\$10,000.00) for each violation. Each animal, each action, or each
12 day a violation continues may constitute a separate and distinct
13 violation. During each license year of the facility, a facility
14 shall not be subject to more than Ten Thousand Dollars (\$10,000.00)
15 in administrative penalties assessed pursuant to this subsection.

16 B. A person commits an offense if the person violates the
17 Commercial Pet Breeders and Animal Shelter Licensing Act ~~of 2012~~ or
18 any rule adopted under the Commercial Pet Breeders and Animal
19 Shelter Licensing Act ~~of 2012~~. Each animal to which a violation
20 applies and each day that violation continues constitutes a separate
21 offense. An offense under this subsection is a misdemeanor
22 punishable as provided in subsection F of this section.

23 C. A person commits an offense if the person knowingly
24 falsifies information in a license application, annual report, or

1 record required under the Commercial Pet Breeders and Animal Shelter
2 Licensing Act of 2012. An offense under this subsection is a
3 misdemeanor punishable as provided in subsection F of this section.

4 D. An unlicensed commercial pet breeder commits an offense if
5 the breeder advertises animals for sale. An offense under this
6 subsection is a misdemeanor punishable as provided in subsection F
7 of this section.

8 E. A An animal shelter or commercial pet breeder commits an
9 offense if the animal shelter or commercial breeder interferes with,
10 hinders, or thwarts any inspection or investigation under the
11 Commercial Pet Breeders and Animal Shelter Licensing Act of 2012 or
12 refuses to allow an inspector full access to all areas of the
13 facility where animals are kept or cared for and all records
14 required to be kept under the Commercial Pet Breeders and Animal
15 Shelter Licensing Act of 2012 or any rule adopted under the
16 Commercial Pet Breeders and Animal Shelter Licensing Act of 2012.
17 An offense under this subsection is a misdemeanor punishable as
18 provided in subsection F of this section.

19 F. 1. Any violation of subsection B, C or D of this section
20 shall be punishable by a fine not to exceed Five Hundred Dollars
21 (\$500.00).

22 2. Any violation of subsection E of this section shall be
23 punishable by a fine not to exceed One Thousand Dollars (\$1,000.00).
24

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

14 H. Nothing in the Commercial Pet Breeders and Animal Shelter
15 Licensing Act of 2012 shall preclude the Board from seeking
16 penalties in district court in the maximum amount allowed by law.
17 The assessment of penalties in an administrative enforcement
18 proceeding shall not prevent the subsequent assessment by a court of
19 the maximum civil or criminal penalties for violations of the
20 Commercial Pet Breeders and Animal Shelter Licensing Act of 2012 and
21 rules promulgated pursuant thereto.

22 I. Any person assessed an administrative or civil penalty may
23 be required to pay, in addition to the penalty amount and interest
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1 thereon, attorney fees and costs associated with the collection of
2 the penalties.

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

7 SECTION 13. AMENDATORY Section 14, Chapter 302, O.S.L.
8 2012 (4 O.S. Supp. 2012, Section 30.14), is amended to read as
9 follows:

10 Section 30.14. The State Board of Agriculture shall maintain
11 and post on its website the directory of animal shelters and
12 commercial pet breeders licensed pursuant to the Commercial Pet
13 Breeders and Animal Shelter Licensing Act of 2012. The Board shall
14 post on its website the directory of animal shelters and commercial
15 pet breeders who have been denied licensing, or whose licenses have
16 been revoked.

17 SECTION 14. AMENDATORY Section 15, Chapter 302, O.S.L.
18 2012 (4 O.S. Supp. 2012, Section 30.15), is amended to read as
19 follows:

20 Section 30.15. A. The Commercial Pet Breeders and Animal
21 Shelter Licensing Act of 2012 shall not affect the applicability of
22 any other law, rule, order, ordinance, or other legal requirement of
23 the federal government, this state, or a political subdivision of
24 this state.

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

5 SECTION 15. AMENDATORY Section 16, Chapter 302, O.S.L.
6 2012 (4 O.S. Supp. 2012, Section 30.16), is amended to read as
7 follows:

8 Section 30.16. A. There is hereby created in the State
9 Treasury a revolving fund for the Oklahoma Department of
10 Agriculture, Food, and Forestry to be designated the Commercial Pet
11 Breeders and Animal Shelter Assistance Revolving Fund. All monies
12 accruing to the credit of the Commercial Pet Breeders and Animal
13 Shelter Assistance Revolving Fund are hereby appropriated and may be
14 budgeted and expended by the Department for the purposes set forth
15 in subsection C of this section. The fund shall be a continuing
16 fund not subject to fiscal year limitations and shall consist of:

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

20 2. Money received by the Department in the form of gifts,
21 grants, reimbursements, or from any other source intended to be used
22 for the purposes specified by or collected pursuant to the
23 provisions of this section of the Commercial Pet Breeders and Animal
24 Shelter Licensing Act ~~of 2012~~.

1 B. The monies deposited in the Commercial Pet Breeders and
2 Animal Shelter Assistance Revolving Fund shall be excluded from
3 budget and expenditure limitations and shall at no time become part
4 of the general budget of the Department or any other state agency.
5 Except as provided for in this section, no monies from the
6 Commercial Pet Breeders and Animal Shelter Assistance Revolving Fund
7 shall be transferred for any purpose to any other state agency or
8 any account of the Department or be used for the purpose of
9 contracting with any other state agency or reimbursing any other
10 state agency for any expense.

11 C. The Commercial Pet Breeders and Animal Shelter Assistance
12 Revolving Fund shall be utilized for defraying veterinary costs for
13 animals in the event of a removal of animals from a an animal
14 shelter or commercial pet breeder. The fund may, in the discretion
15 of the State Board of Agriculture, also be used to defray costs
16 associated with care of animals including, but not limited to, feed
17 and shelter.

18 COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE AND RURAL DEVELOPMENT
19 March 18, 2013 - DO PASS AS AMENDED
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