

1 **SENATE FLOOR VERSION**

2 February 24, 2014

3 **AS AMENDED**

4 SENATE BILL NO. 1591

By: Loveless of the Senate

and

Denney of the House

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7
8 **[cities and towns - Oklahoma Municipal Code -**
9 **commercial pet breeders near schools - effective**
10 **date]**

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

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

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

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

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

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

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

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

9 COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE AND RURAL DEVELOPMENT
10 February 24, 2014 - DO PASS AS AMENDED

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