

BILL SUMMARY
1st Session of the 54th Legislature

Bill No.:	HB1640
Version:	CS
Request Number:	6971
Author:	Rep. Jordan
Date:	3/04/2013
Impact:	Pending

Research Analysis

The committee substitute allows the Oklahoma Department of Agriculture, Food, and Forestry to require additional information from anyone requesting a swine feeding operation license and then have an additional 30 days to review it before making a decision as to whether the application is in compliance with statutory requirements and regulations. After that, applicants must notify affected property owners that an application is on file with the department. The notice must state that a hearing may be requested within 15 working days from receipt of notice. The State Board of Agriculture may not act on the application until the 15 day period has expired and not until after the hearing if one is requested. Affected property owners requesting hearings must state allegations showing the facility may have a direct, substantial and immediate effect upon a legally protected interest of the property owner. If the affected property owner requests an administrative hearing and has completed an adequate request, a preliminary hearing will be scheduled. Following the preliminary hearing, an administrative law judge will have 20 working days to issue an order granting or denying a full hearing and findings of fact upon which the decision is based if the full hearing is denied. The measure further outlines the full hearing process and requires that evidence presented must be directly related to allegations and evidence presented by the affected property owners during the preliminary hearing. Evidence not meeting the criteria will only be admitted if the administrative law judge finds that it was unavailable prior to the preliminary hearing or meets other criteria.

Prepared By: Dawn Marks

Fiscal Analysis

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Other Considerations

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