

1 ENGROSSED SENATE  
2 BILL NO. 152

By: Loveless of the Senate

and

Denney of the House

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6 An Act relating to the location of commercial pet  
7 breeder operations in municipalities; amending 11  
8 O.S. 2011, Section 22-115.1, which relates to  
9 Oklahoma Municipal Code; modifying category;  
10 restricting location of commercial pet breeders near  
11 schools and day care facilities; defining term; and  
12 providing an effective date.

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

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

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

1 B. ~~Upon the effective date of this act, no~~ 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.  
24

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, 2015.

9 Passed the Senate the 3rd day of March, 2015.

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11 \_\_\_\_\_  
12 Presiding Officer of the Senate

13 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
14 2015.

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17 Presiding Officer of the House  
18 of Representatives  
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