

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 HOUSE BILL 2370

By: Nollan

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6 AS INTRODUCED

7 An Act relating to public health and safety; amending
8 63 O.S. 2011, Section 1-508, which relates to animal
9 quarantine; requiring certain considerations when
promulgating certain rules; and providing an
effective date.

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

13 SECTION 1. AMENDATORY 63 O.S. 2011, Section 1-508, is
14 amended to read as follows:

15 Section 1-508. A. 1. The State Board of Health may adopt such
16 rules as it deems necessary for the quarantine, isolation,
17 impounding, immunization and disposal of an animal to prevent and
18 control any zoonotic disease. Rules of the Board shall consider,
19 but not be limited to:

- 20 a. prior rabies vaccinations,
21 b. the degree of exposure to rabies,
22 c. the history and prior behavior of the animal prior to
23 exposure, and
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- 1 d. the willingness of the individual so exposed to submit
2 to post-exposure antirabies immunization, and
3 e. the current health of an animal when requiring
4 immunizations and defer to the professional opinion
5 and discretion of a veterinarian to determine if an
6 animal is healthy enough to receive an immunization.

7 2. The President of the State Board of Agriculture and the
8 Director of Wildlife Conservation shall be requested to make
9 recommendations on pertinent phases affecting their official duties
10 before such rules are promulgated by the State Board of Health.

11 B. 1. Whenever the State Commissioner of Health or a designee
12 determines that any zoonotic disease exists in any area or that a
13 person has suffered an exposure to any such disease, the
14 Commissioner shall have authority to issue an order declaring a
15 quarantine, isolation, impounding, immunization or disposal of any
16 animal determined to be the source of such disease or exposure
17 according to rules promulgated by the State Board of Health. The
18 Commissioner shall, assisted by the State Board of Agriculture and
19 the Director of Wildlife Conservation, cause such quarantine,
20 isolation, impounding, immunization or disposal to be enforced.

21 2. Public officers and employees acting within the scope of
22 their authority in implementing or enforcing any such order, or
23 rules promulgated for the control of zoonotic disease, shall not be
24 held liable for damages resulting from their official acts.

1 C. It shall be unlawful for any person to willfully fail or
2 refuse to comply with a lawful order of the State Commissioner of
3 Health declaring a quarantine, isolation, impounding, immunization
4 or disposal. Any person convicted of violating the provisions of
5 this subsection shall be guilty of a misdemeanor and may be punished
6 by a fine of not more than One Hundred Dollars (\$100.00), by
7 imprisonment in the county jail for not more than thirty (30) days,
8 or by both such fine and imprisonment.

9 D. District courts shall be authorized to grant injunctive
10 relief, including temporary injunctions and temporary restraining
11 orders, to compel compliance with a quarantine, isolation,
12 impounding, immunization or disposal order issued by the
13 Commissioner pursuant to this section.

14 SECTION 2. This act shall become effective November 1, 2016.
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