

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 55th Legislature (2015)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1104

By: Biggs

7
8 COMMITTEE SUBSTITUTE

9 An Act relating to feral swine; amending 2 O.S. 2011,
10 Sections 6-602, 6-608, as amended by Section 1,
11 Chapter 28, O.S.L. 2012, 6-609, as amended by Section
12 2, Chapter 28, O.S.L. 2012 and 6-613, as amended by
13 Section 3, Chapter 32, O.S.L. 2012 (2 O.S. Supp.
14 2014, Sections 6-608, 6-609 and 6-613), which relate
15 to the Feral Swine Control Act; requiring certain
16 persons to kill all feral swine upon capture;
17 modifying exception to importing feral swine;
18 specifying license required to transport feral swine;
19 prohibiting the Oklahoma Department of Agriculture,
20 Food, and Forestry from issuing license after certain
21 date; prohibiting commingling of certain swine;
22 limiting time feral swine may be held at handling
23 facility; prohibiting certain breeding; requiring
24 certain feral swine to be individually identified;
 specifying tagging system; providing an effective
 date; and declaring an emergency.

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

22 SECTION 1. AMENDATORY 2 O.S. 2011, Section 6-602, is
23 amended to read as follows:

1 Section 6-602. A. The purpose of the Feral Swine Control Act
2 is to provide aggressive measures to reduce the number of feral
3 swine in Oklahoma. Feral swine are a nonnative invasive species in
4 Oklahoma that are detrimental to the natural resources of Oklahoma
5 and agriculture production, and a disease risk. As the feral swine
6 population increases, the citizens of Oklahoma continue to see
7 increased damage to crops, livestock, and wildlife habitat. As
8 carriers of diseases like brucellosis, pseudorabies, tuberculosis,
9 anthrax, and trichinosis, feral swine pose an increasing health risk
10 to humans, livestock, companion animals, pets, and native wildlife.

11 B. Any person who meets the hunting requirements of the
12 Department of Wildlife Conservation shall be obligated to kill any
13 and all feral swine upon capture, unless licensed to transport
14 pursuant to the Feral Swine Control Act.

15 SECTION 2. AMENDATORY 2 O.S. 2011, Section 6-608, as
16 amended by Section 1, Chapter 28, O.S.L. 2012 (2 O.S. Supp. 2014,
17 Section 6-608), is amended to read as follows:

18 Section 6-608. A. No person shall import live feral swine into
19 this state ~~unless the live feral swine are going directly to a~~
20 ~~slaughter facility in a sealed trailer and accompanied by a USDA vs~~
21 ~~1-27 permit for the movement of restricted animals~~ except by order
22 of the State Veterinarian.

23 B. All feral swine in this state that test positive for
24 brucellosis or pseudorabies shall be immediately sent directly to

1 slaughter or slaughtered on the premises pursuant to an order issued
2 by the State Veterinarian.

3 SECTION 3. AMENDATORY 2 O.S. 2011, Section 6-609, as
4 amended by Section 2, Chapter 28, O.S.L. 2012 (2 O.S. Supp. 2014,
5 Section 6-609), is amended to read as follows:

6 Section 6-609. A. The State Board of Agriculture shall
7 promulgate rules for the testing and intrastate movement of live
8 feral swine.

9 B. All persons that transport live feral swine in this state
10 shall be required to obtain a transporter and handling facility
11 license from the Oklahoma Department of Agriculture, Food, and
12 Forestry.

13 C. Live feral swine shall only be transported to the following:

- 14 1. A licensed sporting facility;
- 15 2. A licensed handling facility;
- 16 3. Directly to an approved slaughter facility; or
- 17 4. Pursuant to an order issued by the State Veterinarian.

18 D. The Department shall not issue a new license for a licensed
19 sporting facility after July 1, 2015. Any applicant for a licensed
20 handling facility that can show significant investment committed
21 prior to January 27, 2015, to a proposed licensed sporting facility
22 may obtain a new licensed sporting facility license after July 1,
23 2015.

1 E. No person shall commingle feral swine with domestic swine at
2 any time. No person shall hold feral swine on any premises where
3 domestic swine are located.

4 F. No person shall hold feral swine at a licensed handling
5 facility for more than thirty (30) consecutive days unless the feral
6 swine are held solely for domestic consumption purposes. No person
7 shall allow breeding of feral swine held for domestic consumption
8 purposes.

9 G. Any person adding feral swine to a licensed sporting
10 facility shall ensure each feral swine is individually identified
11 with a form of official identification prior to entry into the
12 licensed sporting facility.

13 SECTION 4. AMENDATORY 2 O.S. 2011, Section 6-613, as
14 amended by Section 3, Chapter 32, O.S.L. 2012 (2 O.S. Supp. 2014,
15 Section 6-613), is amended to read as follows:

16 Section 6-613. A person shall not be considered the owner of a
17 feral swine if, within a twenty-four-hour period, the person
18 catches, tags the feral swine utilizing the Judas pig tagging
19 system, and releases the feral swine in the same location that it
20 was caught.

21 SECTION 5. This act shall become effective July 1, 2015.

22 SECTION 6. It being immediately necessary for the preservation
23 of the public peace, health and safety, an emergency is hereby
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1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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4 COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE AND RURAL DEVELOPMENT,
5 dated 02/18/2015 - DO PASS, As Amended.
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