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February 11, 2019

SENATE BILL NO. 545

By: Pederson and Murdock

An Act relating to livestock diseases; amending 2 O.S. 2011, Section 6-100, which relates to a brucellosis eradication area; declaring the state brucellosis free; authorizing the State Board of Agriculture to reinstitute a program under certain conditions; and providing an effective date.

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

SECTION 1. AMENDATORY 2 O.S. 2011, Section 6-100, is amended to read as follows:

Section 6-100. A. The State of Oklahoma is hereby declared a brucellosis ~~eradication area~~ free. The State Board of Agriculture ~~shall institute~~ may reinstitute a program of brucellosis eradication ~~as prescribed in the approved plan as the funds become available in order for the state to qualify as a certified free area based on the advice of the State Veterinarian and in consultation with the United States Department of Agriculture.~~

B. Each owner of livestock shall comply with the requirements of the a brucellosis plan. A licensed, accredited veterinarian or authorized agent of the Board shall perform all tests on livestock

1 for brucellosis. The owner or person in control of the livestock  
2 shall render assistance in restraining the animals as the State  
3 Veterinarian or a representative of the State Veterinarian deems  
4 necessary. Any owner or caretaker who neglects or refuses to  
5 present the livestock for testing or refuses or neglects to assist  
6 in restraining them, upon conviction thereof, shall be guilty of a  
7 misdemeanor.

8 C. The State Veterinarian or representative authorized to test  
9 the livestock may file a complaint with the district attorney who  
10 shall immediately notify the offending party either by certified  
11 mail, personal service, posting a notice on the premises, or  
12 publication that the person will have an additional ten (10) days to  
13 comply with the requirements. If the party fails to comply, the  
14 sheriff of the county shall gather the livestock for testing. The  
15 owner shall pay all fees and costs incurred in gathering the  
16 livestock into the county general fund, to be reappropriated to the  
17 county sheriff's office.

18 D. An indemnity payment in an amount approved by the United  
19 States Department of Agriculture and the Board shall be made on each  
20 reactor upon proof of slaughter. The Board shall pay any owner of  
21 cattle destroyed because of brucellosis an indemnity of not more  
22 than Fifty Dollars (\$50.00) for each animal, provided the animal  
23 qualifies for an indemnity payment pursuant to official state or  
24 federal brucellosis regulations, and the state monies will be in

1 addition to any indemnity payments by the United States Department  
2 of Agriculture. The indemnity payments shall be made from funds  
3 made available by the United States Department of Agriculture or the  
4 Board within the limits of availability. The state indemnity shall  
5 not be paid unless the owner of the cattle is in compliance with  
6 rules of the Board pertaining to an approved plan.

7 SECTION 2. This act shall become effective November 1, 2019.

8 COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE AND WILDLIFE  
9 February 11, 2019 - DO PASS  
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