

1 ENGROSSED SENATE
2 BILL NO. 1442

By: Hamilton of the Senate

3 and

4 West (Rick) of the House

5
6 An Act relating to the Oklahoma Poultry Waste
7 Applicators Certification Act; amending 2 O.S. 2021,
8 Section 10-9.17, which relates to certificate
9 requirements; updating statutory references;
10 modifying elements of certificates; and providing an
11 effective date.

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

13 SECTION 1. AMENDATORY 2 O.S. 2021, Section 10-9.17, is
14 amended to read as follows:

15 Section 10-9.17. A. It shall be unlawful and a misdemeanor
16 punishable by a fine of not more than Five Thousand Dollars
17 (\$5,000.00) for any person to act, operate, or do business or
18 advertise as a commercial poultry waste applicator or to land-apply
19 poultry waste as a private poultry waste applicator unless such
20 person has obtained a valid applicator's certificate issued by the
21 ~~State Board of Agriculture~~ Oklahoma Department of Agriculture, Food,
22 and Forestry.

1 B. Applicator's certificates shall be issued by the ~~Board,~~
2 Department to applicants who qualify under the provisions of the
3 Oklahoma Poultry Waste Applicators Certification Act.

4 C. Certificates shall be issued only upon application therefor
5 to the ~~Board~~ Department on a form of application prescribed by the
6 ~~Board~~ Department. The application shall contain information
7 regarding the applicant's qualifications and proposed operations and
8 such other information as may be specified by the ~~Board~~ Department.

9 D. A certificate shall be issued only after satisfactory
10 completion of such certification standards as determined by the
11 ~~Board~~ Department.

12 E. 1. ~~All~~ The Department shall issue a commercial applicator
13 ~~certificates shall expire on the thirty-first day of December~~
14 ~~following their issuance or renewal, and may be renewed for the~~
15 ~~ensuing calendar year, without penalty, certificate for a five-year~~
16 period if a properly completed application is filed with the ~~Board~~
17 Department not later than the first day of January of ~~each year the~~
18 subsequent five-year period. A registration fee of ~~Fifteen Dollars~~
19 ~~(\$15.00)~~ Seventy-Five Dollars (\$75.00) shall accompany every initial
20 and renewal application for certification. ~~A renewal fee of Fifteen~~
21 ~~Dollars (\$15.00) shall accompany every renewal application.~~

22 2. ~~All~~ The Department shall issue a private applicator
23 ~~certificates shall be in effect for five (5) years and may be~~
24 ~~renewed by~~ certificate for a five-year period if a properly

1 completed application is filed with the Department not later than
2 the first day of January of the subsequent five-year period. A
3 registration fee of Fifteen Dollars (\$15.00) shall accompany every
4 initial and renewal application for certification. ~~A renewal fee of~~
5 ~~Fifteen Dollars (\$15.00) shall accompany every renewal application.~~
6 The Fifteen Dollar (\$15.00) registration and renewal fee shall be
7 waived if the private applicator is also registered pursuant to the
8 Oklahoma Registered Poultry Feeding Operations Act.

9 3. The Department shall issue all certificates for five-year
10 periods beginning January 1, 2025, and expiring on December 31,
11 2029, followed by successive five-year periods.

12 4. All such fees shall be deposited in the Agriculture
13 Regulation Revolving Fund to be used for the purpose of implementing
14 the provisions of the Oklahoma Registered Poultry Feeding Operations
15 Act and the Oklahoma Poultry Waste Applicators Certification Act.

16 F. Any person issued an applicator's certificate shall comply
17 with the education provisions of subsection F of Section 10-9.5 of
18 this title.

19 SECTION 2. This act shall become effective November 1, 2024.
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1 Passed the Senate the 5th day of March, 2024.

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3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2024.

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8 _____
9 Presiding Officer of the House
10 of Representatives