

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   2nd Session of the 59th Legislature (2024)

4   ENGROSSED SENATE  
5   BILL NO. 1442

By: Hamilton of the Senate

and

West (Rick) of the House

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

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

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

18       Section 10-9.17.   A.   It shall be unlawful and a misdemeanor  
19      punishable by a fine of not more than Five Thousand Dollars  
20      (\$5,000.00) for any person to act, operate, or do business or  
21      advertise as a commercial poultry waste applicator or to land-apply  
22      poultry waste as a private poultry waste applicator unless such  
23      person has obtained a valid applicator's certificate issued by the  
24      ~~State Board of Agriculture~~ Oklahoma Department of Agriculture, Food,  
      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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21 COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE, dated 04/02/2024 - DO  
22 PASS.  
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