

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1325

By: Young

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5  
6 AS INTRODUCED

7 An Act relating to sow farms; creating the Oklahoma  
8 Rural Investment for Sow Farms Act of 2024; providing  
9 short title; establishing the Oklahoma Rural  
10 Investment for Sow Farms Program and authority to  
11 administer such Program; stating purpose; authorizing  
12 certain expenditures; requiring promulgation of  
13 certain rules; creating the Oklahoma Rural Investment  
14 for Sow Farms Revolving Fund; providing for  
15 expenditures; establishing certain application  
16 criteria; providing certain exemption to Oklahoma  
17 Open Records Act; establishing review committee;  
18 making an appropriation; providing for codification;  
19 providing an effective date; and declaring an  
20 emergency.

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

22 SECTION 1. NEW LAW A new section of law to be codified  
23 in the Oklahoma Statutes as Section 5087.1 of Title 74, unless there  
24 is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Oklahoma Rural  
Investment for Sow Farms Act of 2024".

SECTION 2. NEW LAW A new section of law to be codified  
in the Oklahoma Statutes as Section 5087.2 of Title 74, unless there  
is created a duplication in numbering, reads as follows:

1       A. The Oklahoma Department of Commerce is hereby authorized to  
2 establish and administer the Oklahoma Rural Investment for Sow Farms  
3 Program.

4       B. The purpose of the Oklahoma Rural Investment for Sow Farms  
5 Program is to create investment and jobs in the pig industry that  
6 align with traditional farming animal care values and to offset the  
7 costs of compliance with state and federal regulations of  
8 agriculture facilities that currently use extreme confinement  
9 gestation stalls or crates for pregnant sows, through the allocation  
10 of funds to farms, cooperatives, business entities, and other  
11 agricultural entities to:

12       1. Update breeding sow facilities currently using individual  
13 gestation crates (typically measuring six and six-tenths [6.6] feet  
14 by two [2] feet per sow) into group housing pens, of a minimum  
15 thirty-seven and six-tenths (37.6) square feet of usable floor space  
16 per sow, for pregnant sows;

17       2. Fund complete removal of gestation crates;

18       3. Fund renovation of existing space and construction of group  
19 housing pens of a minimum thirty-seven and six-tenths (37.6) square  
20 feet of usable space per pregnant sow, and related structures,  
21 meeting Humane Farm Animal Care size minimum space standards; and

22       4. Fund training of workers on methods of Humane Farm Animal  
23 Care standards for group housing techniques for pregnant sows.

24       C. The Program shall consist of the following requirements:

- 1        1. Removal of gestation crates;
- 2        2. Installation of group housing pens and related technology;
- 3        3. Training of management teams on humane methods, technology,
- 4 and humane husbandry skills;
- 5        4. Pledge from grant recipient that all uses of individual
- 6 gestation crates shall be phased out permanently and in perpetuity
- 7 within three (3) years of accepting funds. Evidence of gestation
- 8 crate use at any point in the future shall require all grant funds
- 9 to be returned to this state. The pledge applies to all breeding
- 10 sow entities, corporations, cooperatives, and farms associated with
- 11 an individual applicant;
- 12        5. Additional rebates and incentives for participating farms
- 13 that make the complete conversions within one (1) year of grant
- 14 application approval, to be established by the Department in its
- 15 regulations governing the Program, based on a per-sow scheme; and
- 16        6. Credits per sow for sow farms of four sows or more with pre-
- 17 existing group, pasture-raised, hoop barns, or Certified Humane
- 18 housing, prior to November 1, 2024.

19        D. The Oklahoma Department of Commerce shall promulgate rules  
20 governing the Oklahoma Rural Investment for Sow Farms Program.

21        SECTION 3.        NEW LAW        A new section of law to be codified  
22 in the Oklahoma Statutes as Section 5087.3 of Title 74, unless there  
23 is created a duplication in numbering, reads as follows:

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1           A. There is hereby created in the State Treasury a revolving  
2 fund for the Oklahoma Department of Commerce to be designated the  
3 "Oklahoma Rural Investment for Sow Farms Revolving Fund". The fund  
4 shall be a continuing fund, not subject to fiscal year limitations,  
5 and shall consist of all monies received by the Oklahoma Department  
6 of Commerce for the purpose of implementing and maintaining the  
7 Oklahoma Rural Investment for Sow Farms Program. All monies  
8 accruing to the credit of the fund are hereby appropriated and may  
9 be budgeted and expended by the Oklahoma Department of Commerce for  
10 the purpose provided for in this section. Expenditures from the  
11 fund shall be made upon warrants issued by the State Treasurer  
12 against claims filed as prescribed by law with the Director of the  
13 Office of Management and Enterprise Services for approval and  
14 payment.

15           B. Notwithstanding any other provisions of law, income and  
16 interest earnings on the fund shall accrue to the fund.

17           SECTION 4.           NEW LAW           A new section of law to be codified  
18 in the Oklahoma Statutes as Section 5087.4 of Title 74, unless there  
19 is created a duplication in numbering, reads as follows:

20           A. The Oklahoma Department of Commerce shall require eligible  
21 applicants to submit information, forms, and reports as are  
22 necessary to properly and efficiently administer the Oklahoma Rural  
23 Investment for Sow Farms Program.

24

1 B. Persons may apply to the Oklahoma Department of Commerce for  
2 grant funds in accordance with rules promulgated by the Department.  
3 Applications for grant funds shall be approved or denied by the  
4 Department in accordance with criteria promulgated by the Department  
5 pursuant to the Oklahoma Rural Investment for Sow Farms Program and  
6 hewing to the standards set forth by Humane Farm Animal Care.

7 C. Grant funds may be made available to eligible applicants  
8 pursuant to evaluation by the Department based on the following  
9 criteria:

10 1. Preference may be given to the applicants whose:

- 11 a. swine operations are licensed or registered with this  
12 state,
- 13 b. employee or contractor qualifications include career-  
14 tech certification, or higher education degrees,  
15 including associate degrees, or
- 16 c. commitment to humane treatment of farm animals, with  
17 respect to their lives and habits, has been  
18 demonstrated; or, desire to commit to humane  
19 facilities for pregnant sows has been well documented  
20 and expressed; and

21 2. Consideration shall not be given to applications for:

- 22 a. the construction of individual gestation crates,  
23 farrowing crates, or any farm facilities unrelated to  
24 the humane housing of breeding sows,

- b. farms outside of this state,
- c. individual or group pens smaller than thirty-seven and six-tenths (37.6) square feet of usable floor space per sow,
- d. facilities, companies, farms, and cooperatives that will or plan to co-produce or co-locate pregnant sows in confinement gestation stalls in other or associated barns in this state,
- e. facilities, companies, farms, and cooperatives that do not pledge to phase out completely and in perpetuity within three (3) years of grant application date, or
- f. entities, facilities, corporations, or farms less than three (3) years old as of November 1, 2024.

D. 1. Any information submitted to or compiled by the Oklahoma Department of Commerce with respect to the financial statements, trade secrets, or any other proprietary information of persons, firms, associations, partnerships, agencies, corporations, institutions of higher education, nonprofit research institutions, or other entities pursuant to the Oklahoma Rural Investment for Sow Farms Program shall not be disclosed pursuant to the Oklahoma Open Records Act or in public hearings and shall be kept confidential, except to the extent that the person or entity which provided such information or which is the subject of such information consents to disclosure.

1        2. An independent committee of reviewers, no fewer than three  
2 and no more than seven, comprised entirely and equally of qualified  
3 veterinarians, farmers, and experienced animal well-being experts,  
4 appointed by the Governor, shall be designated to analyze and  
5 recommend projects for approval by the Oklahoma Department of  
6 Commerce. This review committee shall not be exempt from the  
7 Oklahoma Open Meeting Act.

8        SECTION 5. There is hereby appropriated to the Oklahoma  
9 Department of Commerce from any monies not otherwise appropriated  
10 from the General Revenue Fund of the State Treasury for the fiscal  
11 year ending June 30, 2025, the sum of Forty-seven Million Dollars  
12 (\$47,000,000.00) to transfer to the Oklahoma Rural Investment for  
13 Sow Farms Revolving Fund created pursuant to Section 3 of this act.

14        SECTION 6. This act shall become effective July 1, 2024.

15        SECTION 7. It being immediately necessary for the preservation  
16 of the public peace, health or safety, an emergency is hereby  
17 declared to exist, by reason whereof this act shall take effect and  
18 be in full force from and after its passage and approval.

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