

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB4055 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Sandoval
Adopted: _____

Amendment submitted by: Arturo Alonso-

Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 PROPOSED POLICY
4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 4055

By: Alonso-Sandoval

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9 PROPOSED POLICY COMMITTEE SUBSTITUTE

10 An Act relating to animals; creating the Breeding
11 Animals Responsibly and with Care Act; requiring
12 Oklahoma Department of Agriculture, Food, and
13 Forestry to promulgate certain rules; creating the
14 Commercial Pet Breeders and Animal Shelter Licensing
15 Fund; providing primary use of fund monies; providing
16 secondary use of fund monies; allowing the Department
17 to provide grants to certain nonprofit animal rescue
18 organizations and licensed foster programs; providing
19 grant requirements; listing permissible use of grant
20 funds; granting rulemaking authority; providing that
21 the grant is discretionary and is not an entitlement;
22 amending 4 O.S. 2021, Sections 30.2, 30.4, and 30.5,
23 which relate to the Commercial Pet Breeders and
24 Animal Shelter Licensing Act; modifying definitions;
providing fine for violation; permitting forfeiture
of animals; providing exception; providing when an
inspection may occur; requiring no-notice annual
inspections; providing for noncodification; providing
for codification; and providing an effective date.

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

1 SECTION 1. NEW LAW A new section of law not to be
2 codified in the Oklahoma Statutes reads as follows:

3 This act shall be known and may be cited as the "Breeding
4 Animals Responsibly and with Care (BARC) Act".

5 SECTION 2. NEW LAW A new section of law not to be
6 codified in the Oklahoma Statutes reads as follows:

7 The Oklahoma Department of Agriculture, Food, and Forestry shall
8 promulgate rules to increase fees for commercial pet breeder,
9 noncommercial breeder, and animal shelter licenses.

10 SECTION 3. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 30.17 of Title 4, unless there
12 is created a duplication in numbering, reads as follows:

13 A. All fees, penalties, and monies collected pursuant to the
14 Commercial Pet Breeders and Animal Shelter Licensing Act shall be
15 deposited into a revolving fund in the State Treasury to be known as
16 the Commercial Pet Breeders and Animal Shelter Licensing Fund. The
17 fund shall be a continuing fund, not subject to fiscal year
18 limitations, and monies in the fund shall be expended by the
19 Department of Agriculture, Food, and Forestry for the purposes set
20 forth in this section.

21 B. Monies in the fund shall first be used by the Department to
22 adequately administer and enforce the Commercial Pet Breeders and
23 Animal Shelter Licensing Act, including, but not limited to:

24

- 1 1. Employment, training, and retention of inspectors and
2 enforcement personnel;
- 3 2. Pre-license, renewal, complaint-based, and unannounced
4 inspections;
- 5 3. Investigations, compliance monitoring, and enforcement
6 actions;
- 7 4. Administrative functions necessary to carry out licensing,
8 renewals, reporting, recordkeeping, and data collection; and
- 9 5. Technology, equipment, and systems necessary for inspection
10 reporting, tracking, and program administration.

11 The Department shall determine annually whether sufficient
12 funding exists to meet the administrative needs of the program.

13 C. After the Department determines that the administrative and
14 enforcement needs of the program are adequately funded, any
15 remaining monies may be used, at the discretion of the Department,
16 for the following purposes:

- 17 1. Public education and outreach related to:
 - 18 a. responsible breeding practices,
 - 19 b. animal welfare standards, and
 - 20 c. licensing and compliance requirements;
- 21 2. Spay and neuter programs for dogs and cats;
- 22 3. Educational materials, training resources, and technical
23 assistance for license holders; and

24

1 4. Support for animal welfare initiatives consistent with the
2 purposes of the Commercial Pet Breeders and Animal Shelter Licensing
3 Act.

4 The Department shall have discretion to prioritize the use of
5 such funds based on program needs, geographic considerations, and
6 demonstrated impact.

7 SECTION 4. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 30.18 of Title 4, unless there
9 is created a duplication in numbering, reads as follows:

10 A. Subject to the availability of funds and after satisfaction
11 of the administrative priorities set forth in the Commercial Pet
12 Breeders and Animal Shelter Licensing Act, the Department of
13 Agriculture, Food, and Forestry may award grants from the Commercial
14 Pet Breeders and Animal Shelter Licensing Fund to eligible nonprofit
15 animal rescue organizations and licensed foster programs.

16 B. To be eligible for a grant under this section, an applicant
17 shall:

18 1. Hold a valid nonprofit rescue license or foster home license
19 issued pursuant to the Commercial Pet Breeders and Animal Shelter
20 Licensing Act;

21 2. Be in good standing with the Department and not be subject
22 to any pending enforcement action;

1 3. Be a nonprofit organization exempt from federal income
2 taxation under Section 501(c)(3) of the Internal Revenue Code, if
3 applicable; and

4 4. Comply with all applicable state and local animal welfare
5 laws and rules.

6 C. Grant funds awarded pursuant to this section may be used for
7 purposes including, but not limited to:

8 1. Veterinary care, including emergency medical treatment;

9 2. Spay and neuter services;

10 3. Temporary housing, foster support, and animal transport;

11 4. Supplies, equipment, and materials necessary for animal
12 care; and

13 5. Capacity-building efforts to support intake, rehabilitation,
14 and rehoming of animals.

15 D. The Department shall promulgate rules establishing
16 procedures and criteria for the award of grants under this section,
17 including:

18 1. Application requirements;

19 2. Award limits and funding priorities;

20 3. Reporting and accountability standards; and

21 4. Measures to ensure geographic and programmatic balance.

22 E. Nothing in this section shall be construed to create an
23 entitlement to grant funding or to require the Department to award
24 grants in any fiscal year.

1 SECTION 5. AMENDATORY 4 O.S. 2021, Section 30.2, is
2 amended to read as follows:

3 Section 30.2. As used in the Commercial Pet Breeders and Animal
4 Shelter Licensing Act:

5 1. "Adult animal" means an intact female animal twelve (12)
6 months of age or older;

7 2. "Animal" means a dog or a cat;

8 3. "Animal shelter" means any nongovernmental facility that
9 maintains ten or more dogs and cats operated by or under contract
10 for the state, a county, a municipal corporation, or any other
11 political subdivision of the state for the purpose of impounding or
12 harboring seized, stray, homeless, abandoned or unwanted dogs or
13 cats; and any facility that maintains ten or more dogs and cats
14 operated, owned, or maintained by any person or organization for
15 such purpose, but not including any facility that does not house or
16 harbor dogs or cats on the premises and only operates through a
17 system of fostering in private homes;

18 4. "Animal shelter operator" means any individual, entity,
19 association, trust, or corporation that operates a nongovernmental
20 facility that maintains ten or more dogs and cats for the purpose of
21 impounding or harboring seized, stray, homeless, abandoned or
22 unwanted dogs or cats, but not including any facility that does not
23 house or harbor dogs or cats on the premises and only operates
24 through a system of fostering in private homes;

- 1 5. "Board" means the State Board of Agriculture;
- 2 6. "Cat" means a mammal that is wholly or partly of the species
3 Felis domesticus;
- 4 7. "Commercial breeder" and "commercial pet breeder" mean any
5 individual, entity, association, trust, or corporation who possesses
6 ~~eleven~~ four or more intact female animals for the use of breeding or
7 dealing in animals for direct or indirect sale or for exchange in
8 return for consideration;
- 9 8. "Commercial pet breeder license" means a license issued to
10 any person that qualifies and is licensed as a commercial pet
11 breeder;
- 12 9. "Animal shelter license" means a license issued to any
13 applicant that qualifies and is licensed as an animal shelter
14 operator;
- 15 10. "Department" means the Oklahoma Department of Agriculture,
16 Food, and Forestry;
- 17 11. "Dog" means a mammal that is wholly or partly of the
18 species Canis familiaris;
- 19 12. "Facility" means the premises used by one or more animal
20 shelter operators or commercial breeders. The term includes all
21 buildings, property, and confinement areas in a single location used
22 to conduct the animal shelter or commercial breeding business;
- 23 13. "Family member" means the parent, spouse, child, or sibling
24 of an individual;

1 14. "Humane society" means a nonprofit organization exempt from
2 federal income taxation as an organization described in Section
3 501(c)(3), Internal Revenue Code of 1986, as amended, that has as a
4 principal purpose the prevention of animal cruelty or the sheltering
5 of, caring for, and providing of homes for lost, stray, and
6 abandoned animals;

7 15. "Inspector" means an authorized agent of the Board or any
8 other qualified person authorized by the Department to conduct
9 inspections;

10 16. "Intact female animal" means a female animal, nine (9)
11 months of age or older, and not spayed;

12 17. "Kitten" means a cat less than twelve (12) months old;

13 18. "Local animal control authority" means a municipal or
14 county animal control office with authority over the premises in
15 which an animal is kept or, in an area that does not have an animal
16 control office, the county sheriff;

17 19. "Marketing" means the solicitation for sale of animals;

18 20. "Noncommercial breeder" means any individual, entity,
19 association, trust, or corporation who possesses ~~ten~~ three or fewer
20 intact female animals for the use of breeding or dealing in animals
21 for direct or indirect sale or for exchange in return for
22 consideration;

1 21. "Person" means any individual, association, trust,
2 corporation, limited liability company, partnership, or other
3 entity;

4 22. "Pet" means a dog or cat, including a puppy or kitten;

5 23. "Possess" means to have custody of or control over;

6 24. "Puppy" means a dog less than twelve (12) months old; and

7 25. "Veterinarian" means a person currently licensed to
8 practice veterinary medicine in Oklahoma.

9 SECTION 6. AMENDATORY 4 O.S. 2021, Section 30.4, is
10 amended to read as follows:

11 Section 30.4. A. A person shall not act, offer to act, or hold
12 himself or herself out as a commercial pet breeder or operate an
13 animal shelter in this state unless the person holds a license
14 obtained pursuant to the Commercial Pet Breeders and Animal Shelter
15 Licensing Act for each facility that the person owns or operates in
16 this state.

17 B. It shall be unlawful for any person to act as a commercial
18 pet breeder licensee, or operate as an animal shelter licensee, or
19 to hold himself or herself out as such, unless the person shall have
20 been licensed to do so under the Commercial Pet Breeders and Animal
21 Shelter Licensing Act.

22 C. An applicant for an animal shelter or commercial pet breeder
23 license shall meet the criteria established by the State Board of
24

1 Agriculture through rules promulgated pursuant to the Commercial Pet
2 Breeders and Animal Shelter Licensing Act.

3 D. Any animal shelter operator or commercial pet breeder that
4 applies for an animal shelter or commercial pet breeder license no
5 later than September 1, 2013, shall not be required to meet any
6 cage-size requirement more stringent than United States Department
7 of Agriculture standards. Regardless of license application date,
8 any animal shelter operator or commercial pet breeder replacing or
9 adding cages after September 1, 2013, shall meet the cage-size
10 requirements as of the date of replacement or addition.

11 E. Any person violating subsection A or B of this section shall
12 be fined Five Thousand Dollars (\$5,000.00) and any animals in his or
13 her possession shall be forfeited and taken to animal control unless
14 he or she can prove that the animals have been spayed or neutered.

15 SECTION 7. AMENDATORY 4 O.S. 2021, Section 30.5, is
16 amended to read as follows:

17 Section 30.5. A. The Oklahoma Department of Agriculture, Food,
18 and Forestry may contract with a local veterinarian licensed by the
19 state, other state agency or any other qualified person to conduct
20 or assist in an initial prelicense inspection and annual
21 inspections.

22 B. The Department shall arrange for an inspection at a facility
23 prior to issuance of an initial animal shelter or commercial pet
24 breeder license for that facility.

1 1. The Department shall not issue an animal shelter or
2 commercial pet breeder license to any person until the Department
3 receives an initial prelicense inspection report from the inspector
4 in a format approved by the Department certifying that the facility
5 meets the requirements of the Commercial Pet Breeders and Animal
6 Shelter Licensing Act.

7 2. Prior to the initial prelicense inspection, each applicant
8 shall pay to the Department a nonrefundable inspection fee.

9 C. The Department, at least annually, shall ~~arrange for the~~
10 ~~inspection of~~ inspect each facility of a licensed animal shelter
11 operator or commercial breeder. The inspection shall be conducted
12 ~~during normal business hours and~~ between the hours of 7:00 a.m. and
13 7:00 p.m., Monday through Friday. All inspections shall be
14 conducted without prior notice to the animal shelter operator,
15 commercial breeder or a representative of the facility ~~shall be~~
16 ~~present during the inspection.~~

17 D. The inspector shall submit an inspection report to the
18 Department not later than ten (10) days after the date of the
19 inspection on a form prescribed by the Department and provide a copy
20 of the report to the animal shelter operator, commercial breeder or
21 the representative.

22 E. On receipt of a valid written complaint alleging a violation
23 of the Commercial Pet Breeders and Animal Shelter Licensing Act, an
24 authorized agent of the State Board of Agriculture, a local animal

1 control authority, or an inspector designated by the Department may
2 investigate the alleged violation.

3 F. The Department shall not hire any humane society group or
4 member of any humane society group to perform any inspection
5 required by the Commercial Pet Breeders and Animal Shelter Licensing
6 Act.

7 SECTION 8. This act shall become effective November 1, 2026.

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