

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 2117

6 By: Murdock

7 COMMITTEE SUBSTITUTE

8 An Act relating to the State Board of Agriculture;
9 amending 2 O.S. 2021, Section 2-4, which relates to
10 the powers of Board; modifying certain authority;
11 updating statutory language; and providing an
12 effective date.

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

14 SECTION 1. AMENDATORY 2 O.S. 2021, Section 2-4, is
15 amended to read as follows:

16 Section 2-4. A. The State Board of Agriculture shall have the
17 power to:

18 1. Adopt and prescribe the use of a seal, which shall be in the
19 custody of the Secretary of the Board;

20 2. Promulgate rules necessary, expedient, or appropriate to the
21 performance, enforcement, or carrying out of any of the purposes,
22 objectives, or provisions of the Oklahoma Agricultural Code;

23 3. Initiate and prosecute administrative, civil, or criminal
24 actions and proceedings necessary under the Oklahoma Agricultural
Code;

1 4. Appoint authorized agents to make inspections or
2 investigations and to perform other services for the Board or any
3 division of the Oklahoma Department of Agriculture, Food, and
4 Forestry;

5 5. Consolidate any of the divisions established by the Oklahoma
6 Agricultural Code, transfer any of the functions or activities to
7 another division, place additional functions or activities in a
8 division, establish new divisions, and create new or additional
9 positions in the Department, when conducive to a more efficient
10 administration and enforcement of laws pertaining to agriculture;

11 6. Sell, exchange, or dispose of property;

12 7. Have jurisdiction over all matters affecting animal
13 industry, animal health, and animal quarantine;

14 8. Issue stop-sale and stop-use orders and quarantines;

15 9. Employ, appoint, or contract and fix the duties and
16 compensation of the director of each division of the Department and
17 other personnel, either on a full-time, part-time, or contractual
18 basis, as deemed necessary by the Board;

19 10. Fix the qualifications of the personnel in the Department;

20 11. Accept and use grants of money and other property from any
21 source;

22 12. Advise, consult, cooperate, and enter into agreements or
23 contracts with persons as defined in the Oklahoma Agricultural Code;

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1 13. Coordinate with the federal government and other states on
2 matters pertaining to agriculture;

3 14. Revoke, suspend, or deny for up to one (1) year, any
4 license, permit, or charter issued by the Board if the Board finds
5 any violations of the Oklahoma Agricultural Code or any rule of the
6 Board;

7 15. Adopt a master plan and promulgate rules for the protection
8 of state-owned and private forestry, grazing, and other lands from
9 damage by fire and for suppressing fires on lands. In carrying out
10 the master plan the Board is authorized to enter into contractual
11 agreements with the federal government, local political subdivisions
12 of the state, individuals, private organizations, companies, and
13 corporations for protection and for the suppression of fires and to
14 expend funds as available for these services. To effectuate the
15 purposes of the Oklahoma Agricultural Code, the Board is authorized
16 to enter into contractual agreements with private landowners for the
17 protection and suppression of fires, provided that the private
18 landowners reimburse the Board for actual expenses incurred in the
19 protection and suppression of fires on privately owned lands;

20 16. Have jurisdiction over all matters affecting agriculture as
21 contained and set out in the Oklahoma Agricultural Code, which have
22 not been expressly delegated to another state or federal agency and
23 be responsible for fully implementing and enforcing the laws and
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1 rules within its jurisdictional areas of environmental
2 responsibility.

3 a. The Department of Environmental Quality shall have
4 environmental jurisdiction over:

5 (1) commercial manufacturers of fertilizers, grain
6 and feed products, and chemicals, and over
7 manufacturing of food and kindred products,
8 tobacco, paper, lumber, wood, textile mill, and
9 other agricultural products,

10 (2) slaughterhouses, but not including feedlots at
11 these facilities, and

12 (3) aquaculture and fish hatcheries, including, but
13 not limited to, discharges of pollutants and
14 storm water to waters of the state, surface
15 impoundments and land application of wastes and
16 sludge, and other pollution originating at these
17 facilities.

18 b. Facilities storing grain, feed, seed, fertilizer, and
19 agricultural chemicals that are required by federal
20 National Pollutant Discharge Elimination System
21 (NPDES) regulations to obtain a permit for storm water
22 discharges shall only be subject to the jurisdiction
23 of the Department of Environmental Quality with
24 respect to storm water discharges;

1 17. Have jurisdiction over all matters affecting the
2 importation, health, and quarantining of exotic livestock;

3 18. Prescribe forms of application, certification, licenses,
4 charters, and other forms and blanks as may be necessary to carry
5 out the provisions of the Oklahoma Agricultural Code;

6 19. Stagger throughout the year the renewal dates for any
7 licenses or permits issued by the Department pursuant to the
8 provisions of the Oklahoma Agricultural Code by notifying licensees
9 in writing of the expiration and renewal date being assigned to the
10 licensee and permittee and by making an appropriate adjustment in
11 the fee charged for the license or permit;

12 20. Establish and collect fees for licenses, permits, charters,
13 and services provided. The fees shall be promulgated in accordance
14 with the Administrative Procedures Act and shall be fair and
15 equitable to all parties concerned;

16 21. Establish planting and harvesting seasons for the purpose
17 of meeting the maximum driving and on-duty time exemptions set forth
18 in the National Highway System Designation Act of 1995. The Board
19 shall notify the United States Secretary of Transportation of the
20 seasons;

21 22. Fix and adopt official standards for grading and
22 classifying any agricultural commodity, meat, or meat product
23 prepared, produced, or distributed in ~~Oklahoma~~ this state;

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1 23. Promulgate rules, make investigations, and conduct hearings
2 for the purpose of making inspection compulsory on any agricultural
3 commodity and designate the shipping points where compulsory
4 inspection applies;

5 24. Inspect agricultural commodities, at any time, upon request
6 of any financially interested party or when necessary and to issue
7 certificates showing the quality and condition of the commodities at
8 the time of the inspection;

9 25. Grade meat or meat products upon the request of any packing
10 plant in ~~Oklahoma~~ this state. The packing plant shall be required
11 to pay the cost of services, including the compensation and expenses
12 of personnel employed to perform the actual grading;

13 26. Apply to the district court for a temporary or permanent
14 injunction or any other remedy restraining any person from violating
15 the Oklahoma Agricultural Code;

16 27. Extend and implement the powers and provisions granted by
17 the Oklahoma Agricultural Code to all programs administered by the
18 Department regardless of whether the statutes creating the program
19 are codified in this title;

20 28. Increase its efforts to ensure the safety and quality of
21 food and food products for wholesalers and retail sales in this
22 state and shall include, but not be limited to, inspections of
23 retailers and wholesalers to ensure compliance with all federal and
24 state certification standards;

1 29. Exercise all incidental powers which are necessary and
2 proper to implement and administer the purposes of the Oklahoma
3 Agricultural Code;

4 30. Accept upon behalf of the Department any gift or donation
5 of property, including, but not limited to, monetary gifts;

6 31. Promulgate rules regarding prescribed burning and smoke
7 management;

8 32. Enter into written leases or lease-purchase agreements to
9 acquire equipment, furnishings, supplies and other items necessary
10 for the operation of the Oklahoma Department of Agriculture, Food,
11 and Forestry Agriculture Laboratory;

12 33. Exercise all incidental powers and promulgate rules,
13 procedures and forms which are necessary and proper to implement,
14 administer and enforce the Oklahoma Scrap Metal Dealers Act;

15 34. Promulgate rules to ensure state control of any federal
16 program relating to on-farm fruit and vegetable production
17 inspections and regulation;

18 35. Develop a pollinator protection plan to promote the health
19 of and mitigate the risks to honeybees and other managed
20 pollinators;

21 36. Issue certificates of free sale for any products or items
22 within the jurisdiction of the Oklahoma Department of Agriculture,
23 Food, and Forestry; ~~and~~

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1 37. Prepare, in consultation with the Governor and the Attorney
2 General, any necessary plans, reports or other documents for
3 submission to the United States Department of Agriculture for
4 approval of the Oklahoma Industrial Hemp Program; and

5 38. Issue stop-sale orders for contaminated grain and require
6 remediation or destruction of the grain.

7 B. 1. If upon inspection or investigation, or whenever the
8 Oklahoma Department of Agriculture, Food, and Forestry determines
9 that there are reasonable grounds to believe that any person is in
10 violation of any part of the Oklahoma Environmental Quality Code
11 which is the responsibility and jurisdiction of the Oklahoma
12 Department of Agriculture, Food, and Forestry, any rule promulgated
13 by the State Board of Agriculture, or of any order, permit,
14 certificate, registration, charter, or license issued by the Board,
15 the Department may give written notice to the alleged violator of
16 the specific violation and of the alleged violator's duty to correct
17 the violation immediately or within a set time period or both and
18 that the failure to do so shall result in administrative fines or
19 penalties.

20 2. Whenever the Department finds that an emergency exists
21 requiring immediate action to protect the public health, welfare, or
22 the environment, the President of the State Board of Agriculture may
23 without notice or hearing issue an order, effective upon issuance,
24 reciting the existence of an emergency and requiring that action be

1 taken as specified in the order to meet the emergency. Any person
2 to whom an order is directed shall comply immediately but may
3 request an administrative enforcement hearing within fifteen (15)
4 days after the order is served. The hearing shall be held by the
5 Department within ten (10) days after receipt of the request. On
6 the basis of the hearing record, the President of the Board shall
7 sustain or modify the original order.

8 SECTION 2. This act shall become effective November 1, 2026.

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