

1 **SENATE FLOOR VERSION**

2 February 16, 2026

3 SENATE BILL NO. 2172

By: Pederson

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6 An Act relating to animals; defining terms;
7 prohibiting the possession, sale, transfer, and
8 breeding of primates; providing for certain
9 exemptions; providing enforcement procedures;
10 authorizing seizure and forfeiture; providing
11 penalties; allowing for local regulation; providing
12 for codification; and providing an effective date.

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

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 7-802 of Title 29, unless there
16 is created a duplication in numbering, reads as follows:

17 A. As used in this section:

18 1. "Animal control authority" means an entity acting alone or
19 in concert with other local governmental units or political
20 subdivisions for enforcement of the animal control laws of the city,
21 county, other political subdivision, or state or for the shelter and
22 welfare of animals;

23 2. "Law enforcement officer" means any animal control officer,
24 animal cruelty investigator, local enforcement officer such as a
county sheriff or municipal police officer, state police officer,
public prosecutor, or game warden or other agent or employee of the

1 Department of Wildlife Conservation charged with enforcing the laws
2 of this title;

3 3. "Primate" means any species of the taxonomic order Primates,
4 except humans; and

5 4. "Primate sanctuary" means a nonprofit entity that:

6 a. operates a place of refuge where an abused, neglected,
7 unwanted, impounded, abandoned, orphaned, or displaced
8 animal is provided care for the lifetime of the
9 animal,

10 b. does not conduct any commercial activity with respect
11 to primates, including, but not limited to, sale,
12 trade, auction, loan, or lease of primates or their
13 parts, or use of primates in any manner in a for-
14 profit business or operation,

15 c. does not allow direct contact between the public and
16 primates,

17 d. does not use primates for entertainment purposes or in
18 traveling exhibits, and

19 e. does not breed any primates.

20 B. It shall be unlawful for any person to possess, sell,
21 transfer, or breed a primate.

22 C. The prohibitions in subsection B of this section shall not
23 apply to:

24

- 1 1. Research facilities, as defined in the federal Animal
2 Welfare Act, 7 U.S.C., Section 2132(e);
- 3 2. Primate sanctuaries;
- 4 3. Public animal shelters or duly incorporated nonprofit animal
5 protection organizations, such as humane societies and shelters,
6 temporarily housing a primate at the written request of law
7 enforcement officers acting under the authority of this section;
- 8 4. Licensed veterinary hospitals for the purpose of providing
9 treatment to a primate;
- 10 5. Law enforcement officers for purposes of law enforcement;
- 11 6. A properly maintained zoological park or circus that holds a
12 Class C exhibitor license under the federal Animal Welfare Act in
13 good standing; provided, such entity shall:
 - 14 a. not have been, or employ any person who has been,
15 convicted of or fined for an offense involving the
16 abuse or neglect of any animal pursuant to any state,
17 local, or federal law,
 - 18 b. not have had a license or permit regarding the care,
19 possession, exhibition, breeding, or sale of any
20 animal revoked or suspended by any state, local, or
21 federal agency, and shall not have entered into any
22 stipulations, consent decrees, or settlements with the
23 United States Department of Agriculture within the
24 past three (3) years and shall disclose any known

1 pending investigations that are being conducted by the
2 United States Department of Agriculture,

3 c. not have been cited by the United States Department of
4 Agriculture under the federal Animal Welfare Act, 7
5 U.S.C., Section 2131 et seq., for any noncompliant
6 item within the past three (3) years for any violation
7 for failure to allow facility inspection or
8 interference with a facility inspection,

9 d. maintain liability insurance in an amount not less
10 than Two Hundred Fifty Thousand Dollars (\$250,000.00)
11 for each occurrence of property damage, bodily injury,
12 or death caused by any primate possessed by the
13 entity, and

14 e. have a written plan, filed with the local animal
15 control authority, for the quick and safe recapture or
16 destruction of any primate in the event a primate
17 escapes, including, but not limited to, written
18 protocols for training staff on methods of safe
19 recapture of the escaped primate; or

20 7. A person temporarily transporting a legally owned primate
21 through this state if the transit time is not more than twenty-four
22 (24) hours, the primate is not exhibited, and the primate is
23 maintained at all times in a species-appropriate cage or travel
24 container.

1 D. The prohibitions in subsection B of this section shall not
2 apply to persons who lawfully possessed a primate prior to the
3 effective date of this act, provided that such person shall:

4 1. Maintain veterinary records, acquisition papers, or other
5 documents or records that establish that the person possessed the
6 animal prior to the effective date of this act;

7 2. Not acquire additional primates after the effective date of
8 this act, whether by purchase, donation, or breeding;

9 3. Not have been convicted of an offense involving the abuse or
10 neglect of any animal pursuant to any state, local, or federal law;

11 4. Not have had a license or permit regarding the care,
12 possession, exhibition, breeding, or sale of animals revoked or
13 suspended by any state, local, or federal agency;

14 5. Develop and be prepared to implement escape, succession, and
15 disaster plans and maintain a current animal inventory, to be made
16 available to law enforcement officers upon request;

17 6. Have sufficient training to provide species-specific care to
18 the primate;

19 7. Register with, and pay a registration fee of Twenty Dollars
20 (\$20.00) to, the local animal control authority by May 1, 2027, and
21 annually thereafter, indicating the number of animals of each
22 primate species in his or her possession, and showing proof of
23 liability insurance in an amount not less than Two Hundred Fifty
24 Thousand Dollars (\$250,000.00), for each occurrence of property

1 damage, bodily injury, or death caused by any primate possessed by
2 the person; and

3 8. Notify the local animal control authority at least seventy-
4 two (72) hours prior to sale or transfer of an existing primate,
5 identifying the recipient of the animal. At all times, possession,
6 sale, transfer, and transport of the primate shall conform with all
7 applicable state, local, and federal laws.

8 E. The provisions of this section shall be enforced by any
9 state law enforcement officer or any other law enforcement officer
10 in whose jurisdiction the violation occurs, or any animal control
11 authority for the jurisdiction in which the violation occurs.

12 F. 1. A law enforcement officer may, after obtaining a warrant
13 from any judge or magistrate upon probable cause, seize or impound
14 any primate possessed, sold, transferred, bred, or exhibited in
15 violation of this section. Such primates shall be immediately
16 placed in the custody and control of a primate sanctuary, a
17 temporary holding facility as provided in paragraph 3 of subsection
18 C of this section, or a properly maintained zoological park as
19 described in paragraph 6 of subsection C of this section. If there
20 is no immediate threat to public safety or animal welfare, law
21 enforcement officers may impound the primate in place.

22 2. Upon seizing or impounding a primate, a law enforcement
23 officer shall petition the district court in the locality where the
24 primate was seized or impounded for a hearing to determine whether

1 the primate was in fact possessed, sold, transferred, or bred in
2 violation of this section. The hearing shall be held not more than
3 ten (10) business days from the date of the seizure or impoundment,
4 and the law enforcement officer shall provide written notice of the
5 hearing at least five (5) days prior to the hearing to the person
6 from whom the primate was seized or impounded.

7 3. Upon judicial determination of a violation of any provision
8 of this section, the seized or impounded primate may be deemed
9 forfeited and the court may order the violator to pay all reasonable
10 expenses incurred in caring and providing for the primate, from the
11 time the primate is seized until the time such primate is forfeited
12 to the zoological park, primate sanctuary, or temporary holding
13 facility in possession of the primate. The court may also prohibit
14 the possession or ownership of primates or other exotic animals by
15 the person found to have violated this section.

16 4. A forfeited primate shall be transferred to a properly
17 maintained zoological park as described in paragraph 6 of subsection
18 C of this section or a primate sanctuary that is willing and able to
19 take custody of the forfeited primate. Nothing in this section
20 shall be construed to prevent law enforcement officers from humanely
21 euthanizing a primate in compliance with state and federal law if,
22 after reasonable efforts, no such institution is willing and able to
23 provide long-term care for the primate.

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1 5. Nothing in this section shall be construed to prevent the
2 voluntary permanent relinquishment of any primate by its owner to a
3 person legally able to possess the primate and willing and able to
4 take possession. Voluntary relinquishment shall have no effect on
5 any criminal charges for violations of this section.

6 6. Any primate found to be not properly confined, whether on
7 the property of the owner or running at large, may be humanely
8 destroyed by law enforcement officers in order to protect public
9 safety. The owner of such primate will be liable for costs accrued
10 to law enforcement officers in humanely euthanizing or otherwise
11 securing any such primate.

12 G. A person who violates any provision of this section shall,
13 upon conviction, be guilty of a misdemeanor and shall be punished by
14 a fine not less than Five Hundred Dollars (\$500.00) nor more than
15 Two Thousand Dollars (\$2,000.00).

16 H. Nothing in this section shall be construed to prohibit a
17 city or county or other local governmental unit or political
18 subdivision from adopting or enforcing any rule or law that places
19 further restrictions or additional requirements on the possession,
20 sale, transfer, or breeding of primates.

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

22 COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE AND WILDLIFE
23 February 16, 2026 - DO PASS
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