

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 2172

By: Pederson

AS INTRODUCED

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

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

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

A. As used in this section:

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

1 2. "Law enforcement officer" means any animal control officer,
2 animal cruelty investigator, local enforcement officer such as a
3 county sheriff or municipal police officer, state police officer,
4 public prosecutor, or game warden or other agent or employee of the
5 Department of Wildlife Conservation charged with enforcing the laws
6 of this title;

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

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

- 10 a. operates a place of refuge where an abused, neglected,
11 unwanted, impounded, abandoned, orphaned, or displaced
12 animal is provided care for the lifetime of the
13 animal,
14 b. does not conduct any commercial activity with respect
15 to primates, including, but not limited to, sale,
16 trade, auction, loan, or lease of primates or their
17 parts, or use of primates in any manner in a for-
18 profit business or operation,
19 c. does not allow direct contact between the public and
20 primates,
21 d. does not use primates for entertainment purposes or in
22 traveling exhibits, and
23 e. does not breed any primates.

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

3 C. The prohibitions in subsection B of this section shall not
4 apply to:

5 1. Research facilities, as defined in the federal Animal
6 Welfare Act, 7 U.S.C., Section 2132(e);

7 2. Primate sanctuaries;

8 3. Public animal shelters or duly incorporated nonprofit animal
9 protection organizations, such as humane societies and shelters,
10 temporarily housing a primate at the written request of law
11 enforcement officers acting under the authority of this section;

12 4. Licensed veterinary hospitals for the purpose of providing
13 treatment to a primate;

14 5. Law enforcement officers for purposes of law enforcement;

15 6. A properly maintained zoological park or circus that holds a
16 Class C exhibitor license under the federal Animal Welfare Act in
17 good standing; provided, such entity shall:

18 a. not have been, or employ any person who has been,
19 convicted of or fined for an offense involving the
20 abuse or neglect of any animal pursuant to any state,
21 local, or federal law,

22 b. not have had a license or permit regarding the care,
23 possession, exhibition, breeding, or sale of any
24 animal revoked or suspended by any state, local, or

1 federal agency, and shall not have entered into any
2 stipulations, consent decrees, or settlements with the
3 United States Department of Agriculture within the
4 past three (3) years and shall disclose any known
5 pending investigations that are being conducted by the
6 United States Department of Agriculture,

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

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

18 e. have a written plan, filed with the local animal
19 control authority, for the quick and safe recapture or
20 destruction of any primate in the event a primate
21 escapes, including, but not limited to, written
22 protocols for training staff on methods of safe
23 recapture of the escaped primate; or
24

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

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

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

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

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

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

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

22 6. Have sufficient training to provide species-specific care to
23 the primate;

1 7. Register with, and pay a registration fee of Twenty Dollars
2 (\$20.00) to, the local animal control authority by May 1, 2027, and
3 annually thereafter, indicating the number of animals of each
4 primate species in his or her possession, and showing proof of
5 liability insurance in an amount not less than Two Hundred Fifty
6 Thousand Dollars (\$250,000.00), for each occurrence of property
7 damage, bodily injury, or death caused by any primate possessed by
8 the person; and

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

14 E. The provisions of this section shall be enforced by any
15 state law enforcement officer or any other law enforcement officer
16 in whose jurisdiction the violation occurs, or any animal control
17 authority for the jurisdiction in which the violation occurs.

18 F. 1. A law enforcement officer may, after obtaining a warrant
19 from any judge or magistrate upon probable cause, seize or impound
20 any primate possessed, sold, transferred, bred, or exhibited in
21 violation of this section. Such primates shall be immediately
22 placed in the custody and control of a primate sanctuary, a
23 temporary holding facility as provided in paragraph 3 of subsection
24 C of this section, or a properly maintained zoological park as

1 described in paragraph 6 of subsection C of this section. If there
2 is no immediate threat to public safety or animal welfare, law
3 enforcement officers may impound the primate in place.

4 2. Upon seizing or impounding a primate, a law enforcement
5 officer shall petition the district court in the locality where the
6 primate was seized or impounded for a hearing to determine whether
7 the primate was in fact possessed, sold, transferred, or bred in
8 violation of this section. The hearing shall be held not more than
9 ten (10) business days from the date of the seizure or impoundment,
10 and the law enforcement officer shall provide written notice of the
11 hearing at least five (5) days prior to the hearing to the person
12 from whom the primate was seized or impounded.

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

22 4. A forfeited primate shall be transferred to a properly
23 maintained zoological park as described in paragraph 6 of subsection
24 C of this section or a primate sanctuary that is willing and able to

1 take custody of the forfeited primate. Nothing in this section
2 shall be construed to prevent law enforcement officers from humanely
3 euthanizing a primate in compliance with state and federal law if,
4 after reasonable efforts, no such institution is willing and able to
5 provide long-term care for the primate.

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

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

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

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

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