

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 4055

By: Alonso-Sandoval

4
5
6 AS INTRODUCED

7 An Act relating to animals; creating the Breeding
8 Animals Responsibly and with Care Act; directing the
9 Oklahoma Department of Agriculture, Food, and
10 Forestry to charge for certain licenses and renewals;
11 providing fees; creating the Commercial Pet Breeders
12 and Animal Shelter Licensing Fund; providing primary
13 use of fund monies; providing secondary use of fund
14 monies; allowing the Department to provide grants to
15 certain nonprofit animal rescue organizations and
16 licensed foster programs; providing grant
17 requirements; listing permissible use of grant funds;
18 granting rulemaking authority; providing that the
19 grant is discretionary and is not an entitlement;
20 amending 4 O.S. 2021, Sections 30.2 and 30.4, which
21 relate to the Commercial Pet Breeders and Animal
22 Shelter Licensing Act; modifying definitions;
23 providing fine for violation; permitting forfeiture
24 of animals; providing exception; providing for
noncodification; 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 not to be
codified in the Oklahoma Statutes reads as follows:

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

1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 30.17 of Title 4, unless there
3 is created a duplication in numbering, reads as follows:

4 The Board of the Department of Agriculture, Food, and Forestry
5 (ODAFF) shall charge the following nonrefundable license or renewal
6 fees:

- 7 1. One to three intact female animals: \$225.00
- 8 2. Four to twenty intact female animals: \$300.00
- 9 3. Twenty-one to fifty intact female animals: \$450.00
- 10 4. Fifty-one to one hundred intact female animals: \$600.00
- 11 5. One hundred one or more intact female animals: \$750.00
- 12 6. Animal shelter: \$200.00
- 13 7. Nonprofit rescue license: \$100.00
- 14 8. Foster home license: \$50.00
- 15 9. If the commercial pet breeder or animal shelter operator
16 submits a renewal application and fee after the expiration date, the
17 commercial pet breeder or animal shelter operator shall pay double
18 the renewal fee as a late charge and the filing of a late
19 application shall be deemed a violation.
- 20 10. Pre-license inspection fee for new or expanding: \$100.00

21 SECTION 3. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 30.18 of Title 4, unless there
23 is created a duplication in numbering, reads as follows:

1 A. All fees, penalties, and monies collected pursuant to the
2 Commercial Pet Breeders and Animal Shelter Licensing Act shall be
3 deposited into a revolving fund in the State Treasury to be known as
4 the Commercial Pet Breeders and Animal Shelter Licensing Fund. The
5 fund shall be a continuing fund, not subject to fiscal year
6 limitations, and monies in the fund shall be expended by the
7 Department of Agriculture, Food, and Forestry for the purposes set
8 forth in this section.

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

12 1. Employment, training, and retention of inspectors and
13 enforcement personnel;

14 2. Pre-license, renewal, complaint-based, and unannounced
15 inspections;

16 3. Investigations, compliance monitoring, and enforcement
17 actions;

18 4. Administrative functions necessary to carry out licensing,
19 renewals, reporting, recordkeeping, and data collection; and

20 5. Technology, equipment, and systems necessary for inspection
21 reporting, tracking, and program administration.

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

1 C. After the Department determines that the administrative and
2 enforcement needs of the program are adequately funded, any
3 remaining monies may be used, at the discretion of the Department,
4 for the following purposes:

5 1. Public education and outreach related to:

6 a. responsible breeding practices,

7 b. animal welfare standards, and

8 c. licensing and compliance requirements;

9 2. Spay and neuter programs for dogs and cats;

10 3. Educational materials, training resources, and technical
11 assistance for license holders; and

12 4. Support for animal welfare initiatives consistent with the
13 purposes of the Commercial Pet Breeders and Animal Shelter Licensing
14 Act.

15 The Department shall have discretion to prioritize the use of
16 such funds based on program needs, geographic considerations, and
17 demonstrated impact.

18 SECTION 4. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 30.19 of Title 4, unless there
20 is created a duplication in numbering, reads as follows:

21 A. Subject to the availability of funds and after satisfaction
22 of the administrative priorities set forth in the Commercial Pet
23 Breeders and Animal Shelter Licensing Act, the Department of
24 Agriculture, Food, and Forestry may award grants from the Commercial

1 Pet Breeders and Animal Shelter Licensing Fund to eligible nonprofit
2 animal rescue organizations and licensed foster programs.

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

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

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

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

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

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

17 1. Veterinary care, including emergency medical treatment;

18 2. Spay and neuter services;

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

20 4. Supplies, equipment, and materials necessary for animal
21 care; and

22 5. Capacity-building efforts to support intake, rehabilitation,
23 and rehoming of animals.

1 D. The Department shall promulgate rules establishing
2 procedures and criteria for the award of grants under this section,
3 including:

- 4 1. Application requirements;
- 5 2. Award limits and funding priorities;
- 6 3. Reporting and accountability standards; and
- 7 4. Measures to ensure geographic and programmatic balance.

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

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

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

- 15 1. "Adult animal" means an intact female animal twelve (12)
16 months of age or older;
- 17 2. "Animal" means a dog or a cat;
- 18 3. "Animal shelter" means any nongovernmental facility that
19 maintains ten or more dogs and cats operated by or under contract
20 for the state, a county, a municipal corporation, or any other
21 political subdivision of the state for the purpose of impounding or
22 harboring seized, stray, homeless, abandoned or unwanted dogs or
23 cats; and any facility that maintains ten or more dogs and cats
24 operated, owned, or maintained by any person or organization for

1 such purpose, but not including any facility that does not house or
2 harbor dogs or cats on the premises and only operates through a
3 system of fostering in private homes;

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

11 5. "Board" means the State Board of Agriculture;

12 6. "Cat" means a mammal that is wholly or partly of the species
13 *Felis domesticus*;

14 7. "Commercial breeder" and "commercial pet breeder" mean any
15 individual, entity, association, trust, or corporation who possesses
16 ~~eleven~~ four or more intact female animals for the use of breeding or
17 dealing in animals for direct or indirect sale or for exchange in
18 return for consideration;

19 8. "Commercial pet breeder license" means a license issued to
20 any person that qualifies and is licensed as a commercial pet
21 breeder;

22 9. "Animal shelter license" means a license issued to any
23 applicant that qualifies and is licensed as an animal shelter
24 operator;

1 10. "Department" means the Oklahoma Department of Agriculture,
2 Food, and Forestry;

3 11. "Dog" means a mammal that is wholly or partly of the
4 species *Canis familiaris*;

5 12. "Facility" means the premises used by one or more animal
6 shelter operators or commercial breeders. The term includes all
7 buildings, property, and confinement areas in a single location used
8 to conduct the animal shelter or commercial breeding business;

9 13. "Family member" means the parent, spouse, child, or sibling
10 of an individual;

11 14. "Humane society" means a nonprofit organization exempt from
12 federal income taxation as an organization described in Section
13 501(c)(3), Internal Revenue Code of 1986, as amended, that has as a
14 principal purpose the prevention of animal cruelty or the sheltering
15 of, caring for, and providing of homes for lost, stray, and
16 abandoned animals;

17 15. "Inspector" means an authorized agent of the Board or any
18 other qualified person authorized by the Department to conduct
19 inspections;

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

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

23 18. "Local animal control authority" means a municipal or
24 county animal control office with authority over the premises in

1 which an animal is kept or, in an area that does not have an animal
2 control office, the county sheriff;

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

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

9 21. "Person" means any individual, association, trust,
10 corporation, limited liability company, partnership, or other
11 entity;

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

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

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

15 25. "Veterinarian" means a person currently licensed to
16 practice veterinary medicine in Oklahoma.

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

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

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

6 C. An applicant for an animal shelter or commercial pet breeder
7 license shall meet the criteria established by the State Board of
8 Agriculture through rules promulgated pursuant to the Commercial Pet
9 Breeders and Animal Shelter Licensing Act.

10 D. Any animal shelter operator or commercial pet breeder that
11 applies for an animal shelter or commercial pet breeder license no
12 later than September 1, 2013, shall not be required to meet any
13 cage-size requirement more stringent than United States Department
14 of Agriculture standards. Regardless of license application date,
15 any animal shelter operator or commercial pet breeder replacing or
16 adding cages after September 1, 2013, shall meet the cage-size
17 requirements as of the date of replacement or addition.

18 E. Any person violating subsections A or B of this section
19 shall be fined Twelve Thousand Dollars (\$12,000.00) and any animals
20 in his or her possession shall be forfeited and taken to animal
21 control unless he or she can prove that the animals have been spayed
22 or neutered.

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

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