

1 STATE OF OKLAHOMA

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

3 POLICY COMMITTEE  
4 RECOMMENDATION

5 FOR

6 HOUSE BILL NO. 2975

7 By: Hardin

8 POLICY COMMITTEE RECOMMENDATION

9 An Act relating to agriculture; amending 2 O.S. 2021,  
10 Section 10-9.7, as last amended by Section 2, Chapter  
11 372, O.S.L. 2024 (2 O.S. Supp. 2025, Section 10-9.7),  
12 which relates to nutrient management plans; expanding  
13 certain statements that must be made in an amendment  
14 to a nutrient management plan; amending 2 O.S. 2021,  
15 Section 10-9.17, as amended by Section 1, Chapter  
16 165, O.S.L. 2024 (2 O.S. Supp. 2025, Section 10-  
17 9.17), which relates to poultry waste applicator  
18 certificates; providing penalty for certain  
19 violations; 2 O.S. 2021, Section 10-9.18, which  
20 relates to reports regarding all poultry waste land  
21 application; modifying requirements; requiring  
22 applicators selling or transferring more than a  
23 certain amount of poultry waste to ensure the person  
24 acquiring the poultry waste is aware of certain  
requirements; and providing an effective date.

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

SECTION 1. AMENDATORY 2 O.S. 2021, Section 10-9.7, as  
last amended by Section 2, Chapter 372, O.S.L. 2024 (2 O.S. Supp.  
2025, Section 10-9.7), is amended to read as follows:

1 Section 10-9.7. A. All poultry feeding operations shall  
2 utilize Best Management Practices and shall meet the conditions and  
3 requirements established by subsection B of this section and by  
4 rules promulgated by the State Board of Agriculture pursuant to the  
5 Oklahoma Registered Poultry Feeding Operations Act. Compliance with  
6 a Nutrient Management Plan developed under subsections B and C of  
7 this section shall be deemed compliant with Best Management  
8 Practices.

9 B. Best Management Practices shall be promulgated by rules by  
10 the Board and shall include, but not be limited to, the following  
11 when developing Nutrient Management Plans:

12 1. Measures designed to prevent the discharge of poultry waste  
13 to waters of the state;

14 2. Measures requiring stored poultry waste shall be isolated  
15 from outside surface drainage by covers, ditches, dikes, berms,  
16 terraces, or other such structures;

17 3. Measures designed to prevent waters of the state from coming  
18 into direct contact with the poultry confined on the poultry feeding  
19 operation; and

20 4. Measures designed to ensure that poultry waste handling,  
21 treatment, management, and removal shall:

- 22 a. not create an environmental or a public health hazard,
- 23 b. not result in the contamination of waters of the
- 24 state, and

1 c. conform to such other handling, treatment, and  
2 management and removal requirements deemed necessary  
3 by the Oklahoma Department of Agriculture, Food, and  
4 Forestry to implement the Oklahoma Registered Poultry  
5 Feeding Operations Act and rules promulgated pursuant  
6 thereto.

7 The rules promulgated by the Board pursuant to this section  
8 shall provide for exceptions to the storage requirements for poultry  
9 waste in emergency situations. Such exceptions shall include, but  
10 not be limited to, allowing a contract poultry grower to take such  
11 actions as are necessary to meet requirements imposed on a grower by  
12 an integrator. In such situations, growers shall be required to  
13 take all actions feasible to prevent pollution from stored poultry  
14 waste.

15 C. Every poultry feeding operation shall have a Nutrient  
16 Management Plan which shall include at a minimum:

17 1. A description of poultry waste handling procedures and  
18 availability of equipment and type of equipment to be used;

19 2. The calculations and assumptions used for determining land-  
20 application rates if land application is applicable;

21 3. All nutrient analysis data for soil and poultry waste  
22 testing;

23 4. Legal description and latitude and longitude of lands to be  
24 used by an operation for land application;

1 5. Land-application rates of poultry waste shall be based on  
2 the available nitrogen and phosphorous content of the poultry waste  
3 and shall provide controls for runoff and erosion as appropriate for  
4 site conditions;

5 6. The procedures documented in the Nutrient Management Plan  
6 shall ensure that the handling and utilization of poultry waste  
7 complies with the following requirements:

8 a. adequate poultry waste storage shall be provided  
9 consistent with rules promulgated by the Oklahoma  
10 Department of Agriculture, Food, and Forestry pursuant  
11 to subsection B of this section,

12 b. poultry waste shall not be applied to land when the  
13 ground is saturated or during rainfall events.  
14 Poultry waste shall not be applied to land when the  
15 ground is frozen except in conformance with the  
16 Nutrient Management Plan,

17 c. poultry waste shall only be applied to suitable land  
18 at appropriate times and rates. Discharge or runoff  
19 of waste from the application site is evidence that  
20 the Nutrient Management Plan requires revisions.  
21 Timing and rate of applications shall be based on  
22 assimilation capacity of the soil profile, assuming  
23 usual nutrient losses, expected precipitation, and  
24 soil conditions, and

1           d.    poultry waste application shall be prohibited on land  
2                   subject to excessive erosion;

3           7.   Records shall be maintained of all poultry wastes applied on  
4 land owned or controlled by the operator, and sold or given to other  
5 persons:

6           a.   if the poultry waste is sold or given to other persons  
7                   for land application or other use, the poultry feeding  
8                   operation shall maintain a log of date of removal from  
9                   the poultry feeding operation, name of recipient the  
10                  poultry waste is sold or given to, and amount in wet  
11                  tons, dry tons or cubic yards of poultry waste removed  
12                  from the poultry feeding operation, and

13          b.   the poultry feeding operation shall make available to  
14                  the recipient any nutrient sample analysis of the  
15                  poultry waste from that year;

16          8.   Any analysis required by the provisions of the Oklahoma  
17 Registered Poultry Feeding Operations Act or rules promulgated  
18 thereto shall be performed by a qualified environmental testing  
19 laboratory certified by the Department of Environmental Quality and  
20 approved by the Oklahoma Department of Agriculture, Food, and  
21 Forestry; and

22          9.   Such other information deemed necessary by the Oklahoma  
23 Department of Agriculture, Food, and Forestry to administer the  
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1 provisions of the Oklahoma Registered Poultry Feeding Operations Act  
2 and rules promulgated pursuant thereto.

3 D. 1. The Nutrient Management Plan for new or expanding  
4 poultry feeding operations submitted after July 1, 1998, shall be  
5 prepared by the operator or designee of the operator.

6 2. After the plan is submitted to the Oklahoma Department of  
7 Agriculture, Food, and Forestry for review and approval if the  
8 Department determines that a submitted plan needs or requires any  
9 corrections or modifications, the Department shall return the  
10 Nutrient Management Plan to the operator for corrections.

11 3. For a renewal, if the Department determines the Nutrient  
12 Management Plan needs or requires corrections or modifications, the  
13 Department shall make appropriate corrections, approve the plan, and  
14 notify the poultry feeding operation of the modifications.

15 E. 1. Except as otherwise provided in this subsection, a  
16 Nutrient Management Plan for every poultry feeding operation shall  
17 be renewed and an updated plan shall be submitted to the Oklahoma  
18 Department of Agriculture, Food, and Forestry every six (6) years  
19 from the date the initial or previous plan was submitted.

20 2. The operator shall have the option to submit the renewed or  
21 updated plan through the Department's website or a printable online  
22 form designed by the Department.

23 3. A current operator may submit a one-page amendment to the  
24 most recently submitted plan in lieu of a renewal plan through the

1 Department's website, if applicable. Poultry feeding operations  
2 submitting an amendment pursuant to this subsection shall still be  
3 subject to the soil and poultry waste testing requirements under  
4 subsections F and G of this section. The amendment shall contain  
5 the following statements:

6 a. no changes in the Department's promulgated standards  
7 for land application of poultry waste have occurred  
8 since the most recently submitted Nutrient Management  
9 Plan,

10 b. there has been no change to the number of poultry  
11 housed since the most recently submitted Nutrient  
12 Management Plan,

13 c. there has been no expansion in the poultry feeding  
14 operation since the most recently submitted Nutrient  
15 Management Plan, and

16 d. the entirety of the poultry waste is:

17 (1) removed off-site as provided in the poultry  
18 feeding operation's annual report, as required by  
19 subsection J of this section, and will continue  
20 to be removed off-site for the next six (6)  
21 years, ~~or~~

22 (2) land-applied and will continue to be land-applied  
23 for the next six (6) years, or

24

1                   (3) removed off-site and land-applied and will  
2                   continue with both for the next six (6) years.

3           F. Every poultry feeding operation located in a non-nutrient-  
4 limited watershed and non-nutrient-vulnerable groundwaters shall  
5 perform soil testing on each land-application area and poultry waste  
6 testing at least once every three (3) years to determine:

- 7           1. Soil pH and plant-available nutrients including, at a  
8 minimum, nitrogen, phosphorous, and potassium;
- 9           2. Poultry waste nutrient concentrations and moisture; and
- 10          3. Application rate based upon the Department's standards for  
11 land application for poultry waste as promulgated by rules.

12          G. Every poultry feeding operation located in a nutrient-  
13 limited watershed and nutrient-vulnerable groundwater shall perform  
14 an annual soil test on each land-application area prior to the first  
15 application of the calendar year. Poultry waste testing shall be  
16 performed annually prior to the first application of the calendar  
17 year. Soil and poultry waste testing shall be performed to  
18 determine:

- 19          1. Soil pH and plant-available nutrients including at least  
20 nitrogen, phosphorous, and potassium;
- 21          2. Poultry waste nutrient concentrations and moisture; and
- 22          3. Application rate based upon the Department's standards for  
23 land application of poultry waste as promulgated by rules.

1 H. 1. Soil and poultry waste analysis data shall be retained  
2 by the poultry feeding operation for a minimum of six (6) years.

3 2. All soil and poultry waste analysis data shall be dated  
4 prior to land application.

5 I. 1. Poultry feeding operations shall develop a plan for the  
6 disposal of carcasses associated with normal mortality.

7 2. In the event there is an outbreak of a major disease or  
8 other emergency resulting in deaths significantly higher than normal  
9 mortality rates, the Oklahoma Department of Agriculture, Food, and  
10 Forestry may approve, in writing, an alternate method of disposal of  
11 carcasses or the storage of poultry waste during the emergency  
12 period.

13 J. Every poultry feeding operation shall file by September 1 of  
14 each year an annual report with the Department regarding all poultry  
15 waste removed from or land-applied by the facility for the period  
16 from July 1 of the previous year through June 30 of that year. The  
17 report shall contain the following information:

18 1. The date and amount of poultry waste removed from or land-  
19 applied at the facility;

20 2. The type of poultry waste removed or land-applied, whether a  
21 cake out, full clean out, in-house windrow or compost, poultry waste  
22 stack shed, or other type;

23 3. The county and, if applicable, the name of the nutrient-  
24 limited watershed where the poultry waste was produced; and

1 4. The location where the poultry waste is removed to:

2 a. if land-applied on-site, provide the following:

3 (1) the date of the land application,

4 (2) the total amount of poultry waste land-applied in  
5 wet tons, dry tons, or cubic yards,

6 (3) the name, mailing address, and telephone number  
7 of the poultry waste applicator, and

8 (4) the number of acres under the control of the  
9 poultry feeding operation for land application of  
10 poultry waste, or

11 b. if removed off-site, provide the following:

12 (1) the date of the removal off-site,

13 (2) the amount of poultry waste removed in wet tons,  
14 dry tons, or cubic yards,

15 (3) the name, mailing address, and telephone number  
16 of the person the poultry waste is sold or  
17 transferred to, and

18 (4) the name, mailing address, telephone number, and  
19 poultry waste applicator license number of the  
20 poultry waste applicator, if known, ~~and~~

21 ~~(5) the name, mailing address, and telephone number~~  
22 ~~of the hauler of the poultry waste.~~

1 SECTION 2. AMENDATORY 2 O.S. 2021, Section 10-9.17, as  
2 amended by Section 1, Chapter 165, O.S.L. 2024 (2 O.S. Supp. 2025,  
3 Section 10-9.17), is amended to read as follows:

4 Section 10-9.17. A. It shall be unlawful and a misdemeanor  
5 punishable by a fine of not more than Five Thousand Dollars  
6 (\$5,000.00) for any person to act, operate, or do business or  
7 advertise as a commercial poultry waste applicator or to land-apply  
8 poultry waste as a private poultry waste applicator unless such  
9 person has obtained a valid applicator's certificate issued by the  
10 Oklahoma Department of Agriculture, Food, and Forestry.

11 B. It shall be unlawful and a misdemeanor punishable by a fine  
12 of not more than Five Thousand Dollars (\$5,000.00) for any person to  
13 sell, transfer, do business in sales of poultry waste, or to  
14 advertise for sale more than ten (10) tons of poultry waste per  
15 calendar year unless the person has obtained a valid poultry waste  
16 applicator's certificate or has a poultry feeding operation  
17 registration issued by the Department.

18 C. Applicator's certificates shall be issued by the Department  
19 to applicants who qualify under the provisions of the Oklahoma  
20 Poultry Waste Applicators Certification Act.

21 ~~C.~~ D. Certificates shall be issued only upon application  
22 therefor to the Department on a form of application prescribed by  
23 the Department. The application shall contain information regarding  
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1 the applicant's qualifications and proposed operations and such  
2 other information as may be specified by the Department.

3 ~~D.~~ E. A certificate shall be issued only after satisfactory  
4 completion of such certification standards as determined by the  
5 Department.

6 ~~E.~~ F. 1. The Department shall issue a commercial applicator  
7 certificate for a five-year period if a properly completed  
8 application is filed with the Department not later than the first  
9 day of January of the subsequent five-year period. A registration  
10 fee of Seventy-Five Dollars (\$75.00) shall accompany every initial  
11 and renewal application for certification.

12 2. The Department shall issue a private applicator certificate  
13 for a five-year period if a properly completed application is filed  
14 with the Department not later than the first day of January of the  
15 subsequent five-year period. A registration fee of Fifteen Dollars  
16 (\$15.00) shall accompany every initial and renewal application for  
17 certification. The Fifteen Dollar (\$15.00) registration and renewal  
18 fee shall be waived if the private applicator is also registered  
19 pursuant to the Oklahoma Registered Poultry Feeding Operations Act.

20 3. The Department shall issue all certificates for five-year  
21 periods beginning January 1, 2025, and expiring on December 31,  
22 2029, followed by successive five-year periods.

23 4. All such fees shall be deposited in the Agriculture  
24 Regulation Revolving Fund to be used for the purpose of implementing

1 the provisions of the Oklahoma Registered Poultry Feeding Operations  
2 Act and the Oklahoma Poultry Waste Applicators Certification Act.

3 ~~F.~~ G. Any person issued an applicator's certificate shall  
4 comply with the education provisions of subsection F of Section 10-  
5 9.5 of this title.

6 SECTION 3. AMENDATORY 2 O.S. 2021, Section 10-9.18, is  
7 amended to read as follows:

8 Section 10-9.18. A. Every certified poultry waste applicator  
9 shall file by September 1 of each year an annual report with the  
10 Oklahoma Department of Agriculture, Food, and Forestry regarding all  
11 poultry waste land-applied by such applicator for the period from  
12 July 1 of the previous year through June 30 of that year. The  
13 report shall contain the following information, as applicable:

14 1. The legal description ~~and~~ or GPS coordinates, county, and  
15 the poultry feeding operation registration number, if available, or  
16 the GPS coordinates where the poultry waste was produced or  
17 acquired;

18 2. The legal description, field identifier, and county where  
19 the poultry waste was land-applied;

20 3. Date of each field application or date of each sale or  
21 transfer;

22 4. Total and per-acre amount of poultry waste of each field  
23 application, or the total amount of poultry waste for each sale or  
24 transfer;

1 5. Name, mailing address, and telephone number of the person  
2 for whom poultry waste was applied, sold, or transferred;

3 6. The most recent soil ~~test~~ analysis results obtained for each  
4 field receiving poultry waste; and

5 7. The most recent poultry waste analysis results dated prior  
6 to the land application; and

7 8. Such other information as may be required by the State Board  
8 of Agriculture.

9 B. The Department shall make available forms to be used in  
10 making such report.

11 C. Applicators who seek to obtain a renewal certificate shall  
12 submit the report with their application for renewal. No renewal  
13 certificate may be issued without submission of this report.

14 D. Any certified poultry waste applicator selling or  
15 transferring more than ten (10) tons of poultry waste per calendar  
16 year and not performing land application services shall ensure the  
17 person acquiring the poultry waste is aware of the requirements of  
18 the Oklahoma Poultry Waste Applicators Certification Act and is  
19 provided the most recent poultry waste analysis results dated prior  
20 to the transfer.

21 SECTION 4. This act shall become effective November 1, 2026.

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