

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 1104

6 By: Biggs

7 COMMITTEE SUBSTITUTE

8 An Act relating to feral swine; amending 2 O.S. 2011,
9 Sections 6-602, 6-608, as amended by Section 1,
10 Chapter 28, O.S.L. 2012, 6-609, as amended by Section
11 2, Chapter 28, O.S.L. 2012 and 6-613, as amended by
12 Section 3, Chapter 32, O.S.L. 2012 (2 O.S. Supp.
13 2014, Sections 6-608, 6-609 and 6-613), which relate
14 to the Feral Swine Control Act; requiring certain
15 persons to kill all feral swine upon capture;
16 modifying exception to importing feral swine;
17 specifying license required to transport feral swine;
18 prohibiting the Oklahoma Department of Agriculture,
19 Food, and Forestry from issuing license after certain
20 date; prohibiting commingling of certain swine;
21 limiting time feral swine may be held at handling
22 facility; prohibiting certain breeding; requiring
23 certain feral swine to be individually identified;
24 specifying tagging system; providing an effective
date; and declaring an emergency.

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

SECTION 1. AMENDATORY 2 O.S. 2011, Section 6-602, is
amended to read as follows:

Section 6-602. A. The purpose of the Feral Swine Control Act
is to provide aggressive measures to reduce the number of feral

1 swine in Oklahoma. Feral swine are a nonnative invasive species in
2 Oklahoma that are detrimental to the natural resources of Oklahoma
3 and agriculture production, and a disease risk. As the feral swine
4 population increases, the citizens of Oklahoma continue to see
5 increased damage to crops, livestock, and wildlife habitat. As
6 carriers of diseases like brucellosis, pseudorabies, tuberculosis,
7 anthrax, and trichinosis, feral swine pose an increasing health risk
8 to humans, livestock, companion animals, pets, and native wildlife.

9 B. Any person who meets the hunting requirements of the
10 Department of Wildlife Conservation shall be obligated to kill any
11 and all feral swine upon capture, unless licensed to transport
12 pursuant to the Feral Swine Control Act.

13 SECTION 2. AMENDATORY 2 O.S. 2011, Section 6-608, as
14 amended by Section 1, Chapter 28, O.S.L. 2012 (2 O.S. Supp. 2014,
15 Section 6-608), is amended to read as follows:

16 Section 6-608. A. No person shall import live feral swine into
17 this state ~~unless the live feral swine are going directly to a~~
18 ~~slaughter facility in a sealed trailer and accompanied by a USDA vs~~
19 ~~1-27 permit for the movement of restricted animals~~ except by order
20 of the State Veterinarian.

21 B. All feral swine in this state that test positive for
22 brucellosis or pseudorabies shall be immediately sent directly to
23 slaughter or slaughtered on the premises pursuant to an order issued
24 by the State Veterinarian.

1 SECTION 3. AMENDATORY 2 O.S. 2011, Section 6-609, as
2 amended by Section 2, Chapter 28, O.S.L. 2012 (2 O.S. Supp. 2014,
3 Section 6-609), is amended to read as follows:

4 Section 6-609. A. The State Board of Agriculture shall
5 promulgate rules for the testing and intrastate movement of live
6 feral swine.

7 B. All persons that transport live feral swine in this state
8 shall be required to obtain a transporter and handling facility
9 license from the Oklahoma Department of Agriculture, Food, and
10 Forestry.

11 C. Live feral swine shall only be transported to the following:

- 12 1. A licensed sporting facility;
- 13 2. A licensed handling facility;
- 14 3. Directly to an approved slaughter facility; or
- 15 4. Pursuant to an order issued by the State Veterinarian.

16 D. The Department shall not issue a new license for a licensed
17 sporting facility after July 1, 2015. Any applicant for a licensed
18 handling facility that can show significant investment committed
19 prior to January 27, 2015, to a proposed licensed sporting facility
20 may obtain a new licensed sporting facility license after July 1,
21 2015.

22 E. No person shall commingle feral swine with domestic swine at
23 any time. No person shall hold feral swine on any premises where
24 domestic swine are located.

1 F. No person shall hold feral swine at a licensed handling
2 facility for more than thirty (30) consecutive days unless the feral
3 swine are held solely for domestic consumption purposes. No person
4 shall allow breeding of feral swine held for domestic consumption
5 purposes.

6 G. Any person adding feral swine to a licensed sporting
7 facility shall ensure each feral swine is individually identified
8 with a form of official identification prior to entry into the
9 licensed sporting facility.

10 SECTION 4. AMENDATORY 2 O.S. 2011, Section 6-613, as
11 amended by Section 3, Chapter 32, O.S.L. 2012 (2 O.S. Supp. 2014,
12 Section 6-613), is amended to read as follows:

13 Section 6-613. A person shall not be considered the owner of a
14 feral swine if, within a twenty-four-hour period, the person
15 catches, tags the feral swine utilizing the Judas pig tagging
16 system, and releases the feral swine in the same location that it
17 was caught.

18 SECTION 5. This act shall become effective July 1, 2015.

19 SECTION 6. It being immediately necessary for the preservation
20 of the public peace, health and safety, an emergency is hereby
21 declared to exist, by reason whereof this act shall take effect and
22 be in full force from and after its passage and approval.

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