

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 57th Legislature (2019)

4 ENGROSSED SENATE

5 BILL NO. 545

By: Pederson and Murdock of the
Senate

6 and

7 Pfeiffer of the House

8
9
10 An Act relating to livestock diseases; amending 2
11 O.S. 2011, Section 6-100, which relates to a
12 brucellosis eradication area; declaring the state
13 brucellosis free; authorizing the State Board of
14 Agriculture to reinstitute a program under certain
15 conditions; and providing an effective date.

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

17 SECTION 1. AMENDATORY 2 O.S. 2011, Section 6-100, is
18 amended to read as follows:

19 Section 6-100. A. The State of Oklahoma is hereby declared a
20 ~~brucellosis eradication area~~ free. The State Board of Agriculture
21 ~~shall institute~~ may reinstitute a program of brucellosis eradication
22 ~~as prescribed in the approved plan as the funds become available in~~
23 ~~order for the state to qualify as a certified free area~~ based on the
24 advice of the State Veterinarian and in consultation with the United
States Department of Agriculture.

1 B. Each owner of livestock shall comply with the requirements
2 of ~~the~~ a brucellosis plan. A licensed, accredited veterinarian or
3 authorized agent of the Board shall perform all tests on livestock
4 for brucellosis. The owner or person in control of the livestock
5 shall render assistance in restraining the animals as the State
6 Veterinarian or a representative of the State Veterinarian deems
7 necessary. Any owner or caretaker who neglects or refuses to
8 present the livestock for testing or refuses or neglects to assist
9 in restraining them, upon conviction thereof, shall be guilty of a
10 misdemeanor.

11 C. The State Veterinarian or representative authorized to test
12 the livestock may file a complaint with the district attorney who
13 shall immediately notify the offending party either by certified
14 mail, personal service, posting a notice on the premises, or
15 publication that the person will have an additional ten (10) days to
16 comply with the requirements. If the party fails to comply, the
17 sheriff of the county shall gather the livestock for testing. The
18 owner shall pay all fees and costs incurred in gathering the
19 livestock into the county general fund, to be reappropriated to the
20 county sheriff's office.

21 D. An indemnity payment in an amount approved by the United
22 States Department of Agriculture and the Board shall be made on each
23 reactor upon proof of slaughter. The Board shall pay any owner of
24 cattle destroyed because of brucellosis an indemnity of not more

1 than Fifty Dollars (\$50.00) for each animal, provided the animal
2 qualifies for an indemnity payment pursuant to official state or
3 federal brucellosis regulations, and the state monies will be in
4 addition to any indemnity payments by the United States Department
5 of Agriculture. The indemnity payments shall be made from funds
6 made available by the United States Department of Agriculture or the
7 Board within the limits of availability. The state indemnity shall
8 not be paid unless the owner of the cattle is in compliance with
9 rules of the Board pertaining to an approved plan.

10 SECTION 2. This act shall become effective November 1, 2019.

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12 COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE AND RURAL DEVELOPMENT,
13 dated 04/01/2019 - DO PASS.
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