

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 HOUSE BILL 2174

By: Pfeiffer

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5
6 AS INTRODUCED

7 An Act relating to agriculture; amending 2 O.S. 2011,
8 Section 6-100, which relates to eradication area;
9 declaring Oklahoma to be brucellosis free;
10 authorizing the State Board of Agriculture to
11 reinstitute certain program upon advice and
12 consultation; and providing an effective date.

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

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

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

23 B. Each owner of livestock shall comply with the requirements
24 of ~~the~~ a brucellosis plan. A licensed, accredited veterinarian or

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

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

19 D. An indemnity payment in an amount approved by the United
20 States Department of Agriculture and the Board shall be made on each
21 reactor upon proof of slaughter. The Board shall pay any owner of
22 cattle destroyed because of brucellosis an indemnity of not more
23 than Fifty Dollars (\$50.00) for each animal, provided the animal
24 qualifies for an indemnity payment pursuant to official state or

1 federal brucellosis regulations, and the state monies will be in
2 addition to any indemnity payments by the United States Department
3 of Agriculture. The indemnity payments shall be made from funds
4 made available by the United States Department of Agriculture or the
5 Board within the limits of availability. The state indemnity shall
6 not be paid unless the owner of the cattle is in compliance with
7 rules of the Board pertaining to an approved plan.

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

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