

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 COMMITTEE SUBSTITUTE

4 FOR

HOUSE BILL NO. 2986

By: Kane

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7 COMMITTEE SUBSTITUTE

8 An Act relating to livestock; defining terms;
9 providing for designation of open pasture roads;
10 establishing requirements for certain designation;
11 requiring issuance of certain notice; providing
12 exemption for liability for certain damages;
13 prohibiting certain further designations; stating
14 conditions for ending of certain designation;
15 requiring certain action by landowners upon removal
16 of designation; amending 4 O.S. 2021, Section 99,
17 which relates to the enclosure of domestic animals;
18 providing certain exemption; providing for
19 codification; and providing an effective date.

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

21 SECTION 1. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 116 of Title 4, unless there is
23 created a duplication in numbering, reads as follows:

24 A. As used in this section:

1. "Cattle crossing signage" means a sign in a twenty-four (24)
inch diamond shape that depicts a black cow graphic on a yellow
background; and

1 2. "Open pasture road" means a road maintained by a county;
2 land on both sides of the road is owned by the same owner; and a
3 roadway without fencing.

4 B. Any public road, as defined in Section 232 of Title 69 of
5 the Oklahoma Statutes, in whole or in part, that is maintained by a
6 county and that meets the following conditions by November 1, 2025,
7 shall be designated as an open pasture road:

8 1. Cattle guards have been installed at the access points of
9 such road or part thereof;

10 2. The land on either side of the road or part thereof to be
11 designated is owned by a single party; and

12 3. There is no fencing erected on such land on either side of
13 the road.

14 It shall be the responsibility of the property owner to notify
15 the board of county commissioners indicating that the roadway is
16 eligible to be designated as open pasture road. Such notification
17 shall state the proposed action and clearly show on a map the
18 location and terminals of the road. The map shall also demonstrate
19 that the property where the road is located belongs to the property
20 owner requesting such designation.

21 C. The board of county commissioners shall cause the erection
22 of cattle crossing signage at the terminals of the open pasture
23 road. The cost associated with such signage shall be provided by
24 the property owner requesting such designation.

1 D. Neither the property owner nor the owner of livestock that
2 are on property where an open pasture road is located shall be
3 liable for damages to any motor vehicle or occupants thereof caused
4 by collision with livestock on a designated open pasture road.

5 E. Only a public road meeting the requirements of subsection B
6 of this section on November 1, 2025, may be designated as an open
7 pasture road. After such date, even if conditions on a property
8 change to meet the requirements of subsection B of this section,
9 such property may not be designated as an open pasture road.

10 F. Once annually, the owner of a property where an open pasture
11 road is located shall provide notice to the board of county
12 commissioners, demonstrating that the property continues to meet the
13 requirements of subsection B of this section. Such notice shall
14 also include an indication that the property owner desires such
15 designation to continue. If such property owner indicates that they
16 no longer desire for such designation to continue, or if the notice
17 demonstrates that the property no longer meets any of the conditions
18 required by subsection B of this section, the road shall lose the
19 designation and the owner or owners of such property shall have
20 thirty (30) days after the board of county commissioners receives
21 such notice to ensure any livestock on the property are fenced out
22 of the roadway.

23 SECTION 2. AMENDATORY 4 O.S. 2021, Section 99, is
24 amended to read as follows:

1 Section 99.

2 A. Any person who:

3 1. Willfully omits to keep a domestic animal such person owns
4 or has charge of within a suitable enclosure;

5 2. Allows the animal to be unrestrained or to run at large,
6 with notice, actual or constructive, that the enclosure within which
7 the animal is kept is open; or

8 3. Knowingly causes a domestic animal to escape confinement,
9 shall be deemed guilty of a misdemeanor and upon conviction
10 thereof shall be punished by a fine of not more than Fifty Dollars
11 (\$50.00) for each offense, or not more than thirty (30) days'
12 imprisonment in the county jail for each offense, or by both fine
13 and imprisonment.

14 B. The provisions of this section shall not apply to domestic
15 animals that are on a county road designated as an open pasture road
16 as provided for in Section 2 of this act.

17 C. For the purpose of this act, the term "domestic animals"
18 shall not include domestic house pets.

19 SECTION 3. This act shall become effective November 1, 2024.

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