

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 SENATE BILL 66

By: Young

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5
6 AS INTRODUCED

7 An Act relating to sow farms; creating the Oklahoma
8 Rural Investment for Sow Farms Act of 2023; providing
9 short title; establishing duties for the Oklahoma
10 Rural Investment for Sow Farms Program; authorizing
11 expenditures; requiring promulgation of certain
rules; creating the Oklahoma Rural Investment for Sow
Farms Revolving Fund; providing for expenditures;
providing for codification; and providing an
effective date.

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

15 SECTION 1. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 5087.1 of Title 74, unless there
17 is created a duplication in numbering, reads as follows:

18 This act shall be known and may be cited as the "Oklahoma Rural
19 Investment for Sow Farms Act of 2023".

20 SECTION 2. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 5087.2 of Title 74, unless there
22 is created a duplication in numbering, reads as follows:

1 A. The Oklahoma Department of Commerce is hereby authorized to
2 establish and administer the Oklahoma Rural Investment for Sow Farms
3 Program.

4 B. The purpose of the Oklahoma Rural Investment for Sow Farms
5 Program is to create investment and jobs in the pig industry that
6 align with traditional farming animal care values and to offset the
7 costs of compliance with state and federal regulations of
8 agriculture facilities that currently use extreme confinement
9 gestation stalls or crates for pregnant pigs, through the allocation
10 of funds to farms, cooperatives, business entities, and other
11 agricultural entities to:

12 1. Update breeding sow pig facilities currently using
13 individual gestation crates (typically measuring six and six-tenths
14 [6.6] feet by two [2] feet per sow) into group housing pens, of a
15 minimum thirty-seven and six-tenths (37.6) square feet of usable
16 floor space per sow, for pregnant pigs;

17 2. Fund complete removal of gestation crates;

18 3. Fund renovation of existing space and construction of group
19 housing pens of a minimum thirty-seven and six-tenths (37.6) square
20 feet of usable space per pregnant sow pig, and related structures,
21 meeting Humane Farm Animal Care size minimum space standards; and

22 4. Fund training of workers on methods of Humane Farm Animal
23 Care standards for group housing techniques for pregnant pigs.

24 C. The Program shall consist of the following categories:
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1 1. Removal of gestation crates;

2 2. Installation of group housing pens and related technology;

3 3. Training of management teams on humane methods, technology,
4 and humane husbandry skills;

5 4. Pledge from grant recipient that all uses of individual
6 gestation crates shall be phased out permanently and in perpetuity
7 within three (3) years of accepting funds. Evidence of gestation
8 crate use at any point in the future shall require all grant funds
9 to be returned to this state. The pledge applies to all breeding
10 sow pig entities, corporations, cooperatives, and farms associated
11 with an individual applicant;

12 5. Additional rebates and incentives for participating farms
13 that make the complete conversions within one (1) year of grant
14 application approval, to be established by the Department in its
15 regulations governing the program, based on a per sow scheme; and

16 6. Credits per sow for sow farms of four pigs or more with pre-
17 existing group, pasture-raised, hoop barns, or Certified Humane
18 housing, prior to November 1, 2023.

19 D. The Oklahoma Department of Commerce shall promulgate rules
20 governing the Oklahoma Rural Investment for Sow Farms Program.

21 SECTION 3. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 5087.3 of Title 74, unless there
23 is created a duplication in numbering, reads as follows:
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1 A. There is hereby created in the State Treasury a revolving
2 fund for the Oklahoma Department of Commerce to be designated the
3 "Oklahoma Rural Investment for Sow Farms Revolving Fund". The fund
4 shall be a continuing fund, not subject to fiscal year limitations,
5 and shall consist of all monies received by the Oklahoma Department
6 of Commerce to implement and maintain the Oklahoma Rural Investment
7 for Sow Farms Program.

8 B. The Oklahoma Rural Investment for Sow Farms Revolving Fund
9 shall consist of:

10 1. Money received by the Oklahoma Department of Commerce in the
11 form of a one-time forty-seven-million-dollar appropriation
12 allocated by the State of Oklahoma for renovation and improvement of
13 breeding sow pig housing facilities and such other monies
14 specifically designated for the Oklahoma Rural Investment for Sow
15 Farms Program. All monies accruing to the credit of the fund are
16 hereby appropriated and may be budgeted and expended by the Oklahoma
17 Department of Commerce for the Oklahoma Rural Investment for Sow
18 Farms Program; and

19 2. Interest attributable to investment of money in the fund.

20 C. All appropriations received by the Department pursuant to
21 the provisions of this section shall be deposited with the State
22 Treasurer to be created or credited to the Oklahoma Rural Investment
23 for Sow Farms Revolving Fund. Expenditures from the fund shall be
24 made upon warrants issued by the State Treasurer against claims

1 filed as prescribed by law with the Director of the Office of
2 Management and Enterprise Services for approval and payment.

3 D. The monies deposited in the fund shall at no time become
4 part of the general budget of the Department or any other state
5 agency. Except for any administration costs incurred in development
6 and implementation of the Oklahoma Rural Investment for Sow Farms
7 Program, no monies from the fund shall be transferred for any
8 purpose to any other state agency or to any account of the Oklahoma
9 Department of Commerce or be used for the purpose of contracting
10 with any other state agency or reimbursing any other state agency
11 for any expense.

12 SECTION 4. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 5087.4 of Title 74, unless there
14 is created a duplication in numbering, reads as follows:

15 A. The Oklahoma Department of Commerce shall require eligible
16 applicants to submit information, forms, and reports as are
17 necessary to properly and efficiently administer the Oklahoma Rural
18 Investment for Sow Farms Program.

19 B. Persons may apply to the Department for grant funds in
20 accordance with rules promulgated by the Oklahoma Department of
21 Commerce. Applications for grant funds shall be approved or denied
22 by the Oklahoma Department of Commerce in accordance with criteria
23 promulgated by the Oklahoma Department of Commerce pursuant to the
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1 Oklahoma Rural Investment for Sow Farms Program and hewing to the
2 standards set forth by Humane Farm Animal Care.

3 C. Grant funds may be made available to eligible applicants
4 pursuant to evaluation by the Department based on the following
5 criteria:

6 1. Preference may be given to the applicants whose:

- 7 a. swine operations are licensed or registered with this
8 state,
- 9 b. employee or contractor qualifications include career-
10 tech certification, or higher education degrees,
11 including associate degrees, or
- 12 c. commitment to humane treatment of farm animals, with
13 respect to their lives and habits, has been
14 demonstrated; or, desire to commit to humane
15 facilities for pregnant pigs has been well documented
16 and expressed; and

17 2. Consideration shall not be given to applications for:

- 18 a. the construction of individual gestation crates,
19 farrowing crates, or any farm facilities unrelated to
20 the humane housing of breeding sow pigs,
- 21 b. farms outside of this state,
- 22 c. individual or group pens smaller than thirty-seven and
23 six-tenths (37.6) square feet of usable floor space
24 per sow pig,

1 d. facilities, companies, farms, and cooperatives that
2 will or plan to co-produce or co-locate pregnant sow
3 pigs in confinement gestation stalls in other or
4 associated barns in this state,

5 e. facilities, companies, farms, and cooperatives that do
6 not pledge to phase out completely and in perpetuity
7 within three (3) years of grant application date, or

8 f. entities, facilities, corporations, or farms less than
9 three (3) years old as of November 1, 2023.

10 D. 1. Any information submitted to or compiled by the Oklahoma
11 Department of Commerce with respect to the financial statements,
12 trade secrets, or any other proprietary information of persons,
13 firms, associations, partnerships, agencies, corporations,
14 institutions of higher education, nonprofit research institutions,
15 or other entities pursuant to the Oklahoma Rural Investment for Sow
16 Farms Program shall not be disclosed pursuant to the Oklahoma Open
17 Records Act or in public hearings and shall be kept confidential,
18 except to the extent that the person or entity which provided such
19 information or which is the subject of such information consents to
20 disclosure.

21 2. An independent committee of reviewers, no fewer than three
22 and no more than seven, comprised entirely and equally of qualified
23 veterinarians, farmers, and experienced animal wellbeing experts,
24 appointed by the Governor, shall be designated to analyze and

1 recommend projects for approval by the Oklahoma Department of
2 Commerce. This review committee shall not be exempt from the
3 Oklahoma Open Meeting Act.

4 SECTION 5. This act shall become effective November 1, 2023.

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