

1 **SENATE FLOOR VERSION**

2 February 11, 2019

3 SENATE BILL NO. 559

By: Howard

4
5
6 An Act relating to the agricultural code; amending 2
7 O.S. 2011, Section 1-3, which relates to definitions;
8 adding definition; and providing an effective date.

9
10 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

11 SECTION 1. AMENDATORY 2 O.S. 2011, Section 1-3, is
12 amended to read as follows:

13 Section 1-3. For the purposes of the Oklahoma Agricultural
14 Code, unless the context indicates otherwise:

15 1. "Authorized agent" means a person who has been authorized by
16 the State Board of Agriculture to act on behalf of the Board in
17 making investigations, inspections, performing other services, or
18 doing any particular act or acts which have been vested by the
19 Oklahoma Agricultural Code in the Board. A written or printed
20 commission signed by the President of the Board shall be proof that
21 the holder has lawful authority to act on behalf of the Board in
22 implementing the Oklahoma Agricultural Code;

23 2. "Board" means the State Board of Agriculture;

24 3. "Code" means the Oklahoma Agricultural Code;

1 4. "Department" means the Oklahoma Department of Agriculture,
2 Food, and Forestry and its employees, officers, and divisions.
3 Whenever the name "Department of Agriculture" appears in any law,
4 contract or other document, it shall be deemed to refer to the
5 Oklahoma Department of Agriculture, Food, and Forestry;

6 5. "Director" means the Director of a division established in
7 the Oklahoma Department of Agriculture, Food, and Forestry;

8 6. "License" means a written document issued by the Board
9 granting authority to a person to engage in a business, occupation,
10 or activity;

11 7. "Livestock" or "animals" means any cattle, bison, horses,
12 sheep, goats, asses, mules, swine, domesticated rabbits, and
13 chickens, turkeys, and other domesticated fowl, and any animal or
14 bird in captivity;

15 8. "Official identification" means any official method of
16 identification approved by USDA, as described by 9 C.F.R. § 86.1, or
17 the State Veterinarian. Official identification for specific
18 species may be further defined within the applicable section of the
19 Oklahoma Administrative Code. Backtags shall not be considered
20 official identification unless the animal is shipped directly to
21 slaughter. The term "official ear tag" is synonymous with "official
22 identification";

23 9. "Permit" means a written document issued by the Board giving
24 consent for a person to engage in an activity;

1 ~~9.~~ 10. "Person" means the state, any municipality, political
2 subdivision, institution, individual, public or private corporation,
3 partnership, association, firm, company, public trust, joint-stock
4 company, trust, estate, state or federal agency, other governmental
5 entity, or any other legal entity or an agent, employee,
6 representative, assignee or successor thereof;

7 ~~10.~~ 11. "President" means the President of the State Board of
8 Agriculture. The President of the State Board of Agriculture shall
9 also be designated as the Commissioner of Agriculture;

10 ~~11.~~ 12. "Producer" means any person planting, raising, growing,
11 or harvesting agricultural products;

12 ~~12.~~ 13. "Quarantine" means a written document issued by the
13 Board to restrict the movement of animals, birds, plants, or
14 agricultural commodities into or out of a specified area for the
15 control or prevention of diseases or pests; and

16 ~~13.~~ 14. "Stop sale order" or "stop use order" means a written
17 or printed order signed by the President or authorized agent of the
18 Board, prohibiting the sale, offering for sale, exposure for sale,
19 or use of any agricultural product, article, device, service, or
20 commodity covered by the Oklahoma Agricultural Code.

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

22 COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE AND WILDLIFE
23 February 11, 2019 - DO PASS
24