

FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB1424 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: David Hardin _____

Reading Clerk

1 STATE OF OKLAHOMA

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

3 FLOOR SUBSTITUTE
4 FOR ENGROSSED

5 SENATE BILL NO. 1424

6 By: Howard and Bullard of the
7 Senate

8 and

9 Hardin of the House

10 FLOOR SUBSTITUTE

11 An Act relating to the Oklahoma Registered Poultry
12 Feeding Operations Act; amending 2 O.S. 2021, Section
13 10-9.5, which relates to application to register or
14 expand poultry feeding operations; stating
15 responsibility for certain educational requirements;
16 amending 2 O.S. 2021, Section 10-9.7, as amended by
17 Section 1, Chapter 239, O.S.L. 2022 (2 O.S. Supp.
18 2023, Section 10-9.7), which relates to management
19 practices; providing for compliance of Nutrient
20 Management Plans; modifying requirements for Best
21 Management Practices; providing that discharge or
22 runoff of waste is evidence that the Nutrient
23 Management Plan requires revision; requiring sample
24 of poultry waste under certain circumstances;
amending 2 O.S. 2021, Section 10-9.11, which relates
to violations; modifying fine amount; modifying range
for certain administrative penalty; directing certain
funds to be used for certain enforcement; modifying
certain notification requirements; requiring certain
penalty for noncompliance; providing the land
application of poultry litter in compliance with a
current Nutrient Management Plan shall be the basis
for criminal or civil liability in certain
circumstances; providing requirements; providing
exemptions; updating statutory language; updating
statutory reference; and declaring an emergency.

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

2 SECTION 1. AMENDATORY 2 O.S. 2021, Section 10-9.5, is
3 amended to read as follows:

4 Section 10-9.5. A. The State Board of Agriculture shall
5 provide the necessary forms and applications for any person desiring
6 or required to register a poultry feeding operation or expanding
7 operation.

8 B. The application to register to operate a new or previously
9 unregistered poultry feeding operation or expanding operation shall
10 contain, at a minimum, the following information:

11 1. Name and address of the owner and operator of the facility;

12 2. Name and address of the poultry feeding operation;

13 3. Number and type of poultry housed or confined;

14 4. Name and address of the integrator whose poultry will be
15 raised by the poultry feeding operation;

16 5. A diagram or map and legal description showing geographical
17 location of the facility on which the perimeters of the facility are
18 designated, location of waters of the state, including, but not
19 limited to, drainage from the facility, poultry waste storage
20 facilities, and land-application sites owned or leased by the
21 applicant or which the applicant has contracted with for the
22 application of poultry waste;

23 6. A copy of the Nutrient Management Plan, or proof of
24 application for such plan, Best Management Practices or any other

1 plans authorized by the Oklahoma Department of Agriculture, Food,
2 and Forestry;

3 7. A statement of ownership.

4 a. If the applicant is a corporation, the name and
5 address of the corporation and the name and address of
6 each officer and registered agent of the corporation
7 shall be included in the application.

8 b. If the applicant is a partnership or other legal
9 entity, the name and address of each partner and
10 stockholder with an ownership interest of ten percent
11 (10%) or more shall be included in the statement.

12 c. The information contained in the statement of
13 ownership shall be public information and shall be
14 available upon request from the Board;

15 8. The name and address of the person having day-to-day control
16 of the operation, if such person is not the applicant and is acting
17 as agent for the applicant;

18 9. An environmental history from the past three (3) years of
19 any poultry feeding operation established and operated by the
20 applicant or any other operation with common ownership in this state
21 or any other state;

22 10. Environmental awards or citations received or pollution
23 prevention or voluntary remediation efforts undertaken by the
24 applicant; and

1 11. Any other information or records required by the Department
2 for purposes of implementing the Oklahoma Registered Poultry Feeding
3 Operations Act or rules promulgated pursuant thereto.

4 C. In addition to other penalties as may be imposed by law, any
5 person who knowingly makes any false statement, representation, or
6 certification in, omits material data from, or tampers with any
7 application for registration shall, upon conviction, be guilty of a
8 misdemeanor and may be subject to a fine of not more than Ten
9 Thousand Dollars (\$10,000.00) for each such violation.

10 D. The owner of a poultry feeding operation shall be
11 responsible for sending written notification to the Department upon
12 changing integrators.

13 E. For a transfer of registration to a new owner, the new owner
14 shall register the operation pursuant to the rules of the
15 Department.

16 F. 1. All operators of poultry feeding operations and poultry
17 waste applicators shall attend educational courses on poultry waste
18 handling. All such operators and applicators shall attend
19 educational training on poultry waste management as provided by
20 Oklahoma State University through the Oklahoma Cooperative Extension
21 Service. All current and new operators and applicators shall
22 receive the initial nine (9) hours of training in the first year and
23 two (2) hours of continuing education every year until the operator
24 or applicator has received a total of nineteen (19) hours of

1 training. Any operator or applicator may attend more hours than is
2 required,; however, those hours shall not be carried forward. Upon
3 receiving the nineteen (19) required hours, the operator or
4 applicator shall be required to receive two (2) hours of continuing
5 education every three (3) years. The Oklahoma Cooperative Extension
6 Service shall develop the educational training course to aid in
7 certification. Curricula for the training course will include the
8 Oklahoma Cooperative Extension Service Waste Management Facts series
9 and record books or their current equivalent. Courses for poultry
10 waste management shall include the following topics:

- 11 a. environmental process relevant to protecting water
12 quality in poultry production,
- 13 b. basic handling systems to manage poultry waste from
14 all types of poultry operations,
- 15 c. nutrient management, including sampling procedures,
16 application rate determination, equipment calibration,
17 and record-keeping systems,
- 18 d. relevant laws and rules applicable to poultry waste
19 management in ~~the State of Oklahoma~~ this state, and
- 20 e. any other related subject as determined by Oklahoma
21 State University in consultation with the Department.

22 2. At the completion of each course, the operator or applicator
23 shall receive a certification verifying completion. The
24 certificates shall be kept on site for five (5) years.

1 3. Failure to obtain the initial nine-hour training and any
2 continuing education as provided in this subsection shall be deemed
3 a violation of the Oklahoma Registered Poultry Feeding Operations
4 Act for operators and the Oklahoma Poultry Waste Applicators
5 Certification Act for applicators.

6 4. All operators or applicators shall meet the educational
7 requirements of this section no later than December 31 of each year.

8 5. All operators and applicators are solely responsible for
9 obtaining and maintaining all educational requirements established
10 pursuant to the provisions of this subsection.

11 G. No integrator shall enter into any contract with an operator
12 of a poultry feeding operation who is not in compliance with the
13 education requirements of subsection F of this section.

14 SECTION 2. AMENDATORY 2 O.S. 2021, Section 10-9.7, as
15 amended by Section 1, Chapter 239, O.S.L. 2022 (2 O.S. Supp. 2023,
16 Section 10-9.7), is amended to read as follows:

17 Section 10-9.7. A. All poultry feeding operations shall
18 utilize Best Management Practices and shall meet the conditions and
19 requirements established by subsection B of this section and by
20 rules promulgated by the State Board of Agriculture pursuant to the
21 Oklahoma Registered Poultry Feeding Operations Act. Compliance with
22 a Nutrient Management Plan developed under subsection B of this
23 section shall be deemed compliant with the Best Management Practices

1 prescribed in this subsection, as well as the requirements of
2 subsection C of this section.

3 B. ~~The criteria for~~ Best Management Practices shall be
4 promulgated by rules by the Board and shall include, but not be
5 limited to, the following when developing Nutrient Management Plans:

6 1. ~~There shall be no~~ Each Nutrient Management Plan shall
7 contain measures designed to prevent the discharge of poultry waste
8 to waters of the state;

9 2. Stored poultry waste shall be isolated from outside surface
10 drainage by covers, ditches, dikes, berms, terraces or other such
11 structures;

12 3. ~~No~~ Each Nutrient Management Plan shall contain measures
13 designed to prevent waters of the state ~~shall come~~ from coming into
14 direct contact with the poultry confined on the poultry feeding
15 operation; and

16 4. ~~Poultry~~ Provisions designed to ensure that poultry waste
17 handling, treatment, management, and removal shall:

18 a. not create an environmental or a public health hazard,

19 b. not result in the contamination of waters of the
20 state, and

21 c. conform to such other handling, treatment and
22 management and removal requirements deemed necessary
23 by the Oklahoma Department of Agriculture, Food, and
24 Forestry to implement the Oklahoma Registered Poultry

1 Feeding Operations Act and rules promulgated pursuant
2 thereto.

3 The rules promulgated by the Board pursuant to this section
4 shall provide for exceptions to the storage requirements for poultry
5 waste in emergency situations. Such exceptions shall include but
6 not be limited to allowing a contract poultry grower to take such
7 actions as are necessary to meet requirements imposed on a grower by
8 an integrator. In such situations growers shall be required to take
9 all actions feasible to prevent pollution from stored poultry waste.

10 C. Every poultry feeding operation shall have a Nutrient
11 Management Plan which shall include at a minimum:

12 1. A description of poultry waste handling procedures and
13 availability of equipment and type of equipment to be used;

14 2. The calculations and assumptions used for determining land-
15 application rates if land application is applicable;

16 3. All nutrient analysis data for soil and poultry waste
17 testing;

18 4. Legal description and latitude and longitude of lands to be
19 used by an operation for land application;

20 5. Land-application rates of poultry waste shall be based on
21 the available nitrogen and phosphorous content of the poultry waste
22 and shall provide controls for runoff and erosion as appropriate for
23 site conditions;

1 6. The procedures documented in the Nutrient Management Plan
2 shall ensure that the handling and utilization of poultry waste
3 complies with the following requirements:

4 a. adequate poultry waste storage shall be provided
5 consistent with rules promulgated by the Oklahoma
6 Department of Agriculture, Food, and Forestry pursuant
7 to subsection B of this section,

8 b. poultry waste shall not be applied to land when the
9 ground is saturated or during rainfall events.
10 Poultry waste shall not be applied to land when the
11 ground is frozen except in conformance with the
12 Nutrient Management Plan,

13 c. poultry waste shall only be applied to suitable land
14 at appropriate times and rates. Discharge or runoff
15 of waste from the application site is ~~prohibited~~
16 evidence that the Nutrient Management Plan requires
17 revisions. Timing and rate of applications shall be
18 based on assimilation capacity of the soil profile,
19 assuming usual nutrient losses, expected
20 precipitation, and soil conditions, and

21 d. poultry waste application shall be prohibited on land
22 subject to excessive erosion;

1 7. Records shall be maintained of all poultry wastes applied on
2 land owned or controlled by the operator, and sold or given to other
3 persons:

4 a. if the poultry waste is sold or given to other persons
5 for land application or other use, the poultry feeding
6 operation shall maintain a log of: date of removal
7 from the poultry feeding operation; name of recipient
8 the poultry waste is sold or given to; and amount in
9 wet tons, dry tons or cubic yards of poultry waste
10 removed from the poultry feeding operation, and

11 b. the poultry feeding operation shall make available to
12 the recipient any nutrient sample analysis of the
13 poultry waste from that year;

14 8. Any analysis required by the provisions of the Oklahoma
15 Registered Poultry Feeding Operations Act or rules promulgated
16 thereto shall be performed by a qualified environmental testing
17 laboratory certified by the Department of Environmental Quality and
18 approved by the Oklahoma Department of Agriculture, Food, and
19 Forestry; and

20 9. Such other information deemed necessary by the Oklahoma
21 Department of Agriculture, Food, and Forestry to administer the
22 provisions of the Oklahoma Registered Poultry Feeding Operations Act
23 and rules promulgated pursuant thereto.
24

1 D. 1. The Nutrient Management Plan for new or expanding
2 poultry feeding operations submitted after July 1, 1998, shall be
3 prepared by the operator or designee of the operator.

4 2. After the plan is submitted to the Oklahoma Department of
5 Agriculture, Food, and Forestry for review and approval if the
6 Department determines that a submitted plan needs or requires any
7 corrections or modifications, the Department shall return the
8 Nutrient Management Plan to the operator for corrections.

9 3. For a renewal, if the Department determines the Nutrient
10 Management Plan needs or requires corrections or modifications, the
11 Department shall make appropriate corrections, approve the plan and
12 notify the poultry feeding operation of the modifications.

13 E. 1. Except as otherwise provided in this subsection, a
14 Nutrient Management Plan for every poultry feeding operation shall
15 be renewed and an updated plan shall be submitted to the Oklahoma
16 Department of Agriculture, Food, and Forestry every six (6) years
17 from the date the initial or previous plan was submitted.

18 2. The operator shall have the option to submit the renewed or
19 updated plan through the Department's website or a printable online
20 form designed by the Department.

21 3. A current operator may submit a one-page amendment to the
22 most recently submitted plan in lieu of a renewal plan through the
23 Department's website, if applicable. Poultry feeding operations
24 submitting an amendment pursuant to this subsection shall still be

1 subject to the soil and poultry waste testing requirements under
2 subsections F and G of this section. The amendment shall contain
3 the following statements:

4 a. no changes in the Department's promulgated standards
5 for land application of poultry waste have occurred
6 since the most recently submitted Nutrient Management
7 Plan,

8 b. there has been no change to the number of poultry
9 housed since the most recently submitted Nutrient
10 Management Plan,

11 c. there has been no expansion in the poultry feeding
12 operation since the most recently submitted Nutrient
13 Management Plan, and

14 d. the entirety of the poultry waste is:

15 (1) removed off-site as provided in the poultry
16 feeding operation's annual report, as required by
17 subsection J of this section, and will continue
18 to be removed off-site for the next six (6)
19 years, or

20 (2) land-applied and will continue to be land-applied
21 for the next six (6) years.

22 F. Every poultry feeding operation located in a non-nutrient-
23 limited watershed and non-nutrient-vulnerable groundwaters shall
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1 perform soil testing on each land-application area and poultry waste
2 testing at least once every three (3) years to determine:

3 1. Soil pH and plant-available nutrients including, at a
4 minimum, nitrogen, phosphorous and potassium;

5 2. Poultry waste nutrient concentrations and moisture; and

6 3. Application rate based upon the Department's standards for
7 land application for poultry waste as promulgated by rules.

8 G. Every poultry feeding operation located in a nutrient-
9 limited watershed and nutrient-vulnerable groundwater shall perform
10 an annual soil test on each land-application area prior to the first
11 application of the calendar year. Poultry waste testing shall be
12 performed annually prior to the first application of the calendar
13 year. Soil and poultry waste testing shall be performed to
14 determine:

15 1. Soil pH and plant-available nutrients including at least
16 nitrogen, phosphorous and potassium;

17 2. Poultry waste nutrient concentrations and moisture; and

18 3. Application rate based upon the Department's standards for
19 land application of poultry waste as promulgated by rules.

20 H. 1. Soil and poultry waste analysis data shall be retained
21 by the poultry feeding operation for a minimum of six (6) years.

22 2. All soil and poultry waste analysis data shall be dated
23 prior to land application.

24

1 I. 1. Poultry feeding operations shall develop a plan for the
2 disposal of carcasses associated with normal mortality.

3 2. In the event there is an outbreak of a major disease or
4 other emergency resulting in deaths significantly higher than normal
5 mortality rates, the Oklahoma Department of Agriculture, Food, and
6 Forestry may approve, in writing, an alternate method of disposal of
7 carcasses or the storage of poultry waste during the emergency
8 period.

9 J. Every poultry feeding operation shall file by September 1 of
10 each year an annual report with the Department regarding all poultry
11 waste removed from or land-applied by the facility for the period
12 from July 1 of the previous year through June 30 of that year. The
13 report shall contain the following information:

14 1. The date and amount of poultry waste removed from or land-
15 applied at the facility;

16 2. The type of poultry waste removed or land-applied, whether a
17 cake out, full clean out, in-house windrow or compost, poultry waste
18 stack shed, or other type;

19 3. The county and, if applicable, the name of the Nutrient
20 Limited Watershed where the poultry waste was produced; and

21 4. The location where the poultry waste is removed to:

22 a. if land-applied on-site, provide the following:

23 (1) the date of the land application,
24

- 1 (2) the total amount of poultry waste land-applied in
- 2 wet tons, dry tons, or cubic yards,
- 3 (3) the name, mailing address, and telephone number
- 4 of the poultry waste applicator, and
- 5 (4) the number of acres under the control of the
- 6 poultry feeding operation for land application of
- 7 poultry waste, or

8 b. if removed off-site, provide the following:

- 9 (1) the date of the removal off-site,
- 10 (2) the amount of poultry waste removed in wet tons,
- 11 dry tons, or cubic yards,
- 12 (3) the name, mailing address, and telephone number
- 13 of the person the poultry waste is sold or
- 14 transferred to,
- 15 (4) the name, mailing address, telephone number, and
- 16 poultry waste applicator license number of the
- 17 poultry waste applicator, if known, and
- 18 (5) the name, mailing address, and telephone number
- 19 of the hauler of the poultry waste.

20 SECTION 3. AMENDATORY 2 O.S. 2021, Section 10-9.11, is
21 amended to read as follows:

22 Section 10-9.11. A. 1. Any person violating the provisions of
23 the Oklahoma Registered Poultry Feeding Operations Act shall, upon
24 conviction, be guilty of a misdemeanor and may be punished by a fine

1 not to exceed ~~Two Hundred Dollars (\$200.00)~~ Five Hundred Dollars
2 (\$500.00).

3 2. The Attorney General or the district attorney of the
4 appropriate district court of ~~Oklahoma~~ this state may bring an
5 action in a court of competent jurisdiction for the prosecution of a
6 violation by any person of a provision of the Oklahoma Registered
7 Poultry Feeding Operations Act or any rule promulgated thereunder.

8 B. 1. In addition to the criminal penalties specified by this
9 section, the Oklahoma Department of Agriculture, Food, and Forestry
10 may:

11 a. assess an administrative penalty of not more than ~~Two~~
12 ~~Hundred Dollars (\$200.00)~~ Five Hundred Dollars
13 (\$500.00) per day of noncompliance, ~~or~~ and/or

14 b. bring an action for injunctive relief granted by a
15 district court.

16 2. A district court may grant injunctive relief to prevent a
17 violation of, or to compel compliance with, any of the provisions of
18 the Oklahoma Registered Poultry Feeding Operations Act or any rule
19 promulgated thereunder or order, registrations, and certificates
20 issued pursuant to the Oklahoma Registered Poultry Feeding
21 Operations Act.

22 3. Nothing in this section shall preclude the Department from
23 seeking penalties in district court in the maximum amount allowed by
24 law. The assessment of penalties in an administrative enforcement

1 proceeding shall not prevent the subsequent assessment by a court of
2 the maximum criminal penalties for violations of the Oklahoma
3 Registered Poultry Feeding Operations Act.

4 4. Any person assessed an administrative penalty may be
5 required to pay, in addition to such penalty amount and interest
6 thereon, attorney fees and costs associated with the collection of
7 such penalties.

8 5. Any administrative penalty required to be paid pursuant to
9 the provisions of this subsection shall be used to fund enforcement
10 of the Oklahoma Registered Poultry Feeding Operations Act.

11 C. 1. Any action for injunctive relief to redress or restrain
12 a violation by any person of the Oklahoma Registered Poultry Feeding
13 Operations Act, or for any rule promulgated thereunder, or order
14 issued pursuant thereto, or recovery of any administrative penalty
15 assessed pursuant to the Oklahoma Registered Poultry Feeding
16 Operations Act may be brought by:

- 17 a. the district attorney of the appropriate district
18 court of the State of Oklahoma,
19 b. the Attorney General on behalf of the State of
20 Oklahoma, or
21 c. the Department on behalf of the State of Oklahoma.

22 2. The court shall have jurisdiction to determine the action,
23 and to grant the necessary or appropriate relief, including but not
24

1 limited to mandatory or prohibitive injunctive relief,~~interim~~
2 ~~equitable relief, and punitive damages.~~

3 3. It shall be the duty of the Attorney General and district
4 attorney if requested by the Commissioner of Agriculture to bring
5 such actions.

6 D. Except as otherwise provided by law, administrative and
7 civil penalties shall be paid into the ~~State Department of~~
8 Agriculture Regulation Revolving Fund.

9 E. For the purposes of the Oklahoma Registered Poultry Feeding
10 Operations Act, each day upon which a violation is committed or is
11 permitted to continue shall be deemed a separate offense.

12 F. 1. Any contract poultry grower determined after notice and
13 opportunity for a hearing by the Department as flagrantly
14 disregarding Best Management Practices shall result in the
15 Department notifying the integrator in writing. Notice provided to
16 the integrator shall detail any remediation, education, or other
17 measures the grower is required to take to prevent the furtherance
18 of the violation and to prevent future violations. Upon receipt of
19 such notice, the integrator shall respond, as prescribed by the
20 Department, that a producer has received the notice and will work
21 with the grower to ensure compliance is achieved within thirty (30)
22 days. If the grower fails to achieve compliance of the terms of the
23 notice within thirty (30) days, the integrator will submit
24 correspondence to the Department detailing additional measures to

1 assist the grower to achieve compliance. If the Department does not
2 approve these additional measures or if they are approved and are
3 not achieved in the timeline approved by the Department, the
4 integrator shall issue a notice of suspension-of-delivery of birds
5 to the grower within thirty (30) days, or give ninety (90) days
6 Notice of Termination of the integrator-producer relationship to the
7 producer within thirty (30) days.

8 2. The agency may extend the time periods for compliance
9 pursuant to this subsection upon the request of an integrator. An
10 integrator who fails to comply with the provisions of this
11 subsection shall be assessed an administrative penalty pursuant to
12 Section 2-18 of this title.

13 3. Nothing provided in response to or in association with a
14 notice given pursuant to this subsection may be used as evidence to
15 establish an employer-employee relationship between a grower and the
16 integrator with which the grower contracts.

17 G. The Department shall notify all integrators of any
18 violations assessed against an operator who is under a contract
19 growing arrangement with that integrator and, upon the written
20 request of the integrator, notify that integrator of all violations
21 assessed against an operator with whom the integrator contemplates
22 entering into a contract.

23 H. In addition to other penalties as may be imposed by law, any
24 person who knowingly makes any false statement, representation or

1 certification form, notice or report, or who knowingly renders
2 inaccurate any monitoring device or method required to be maintained
3 by any rule promulgated by the State Board of Agriculture, shall,
4 upon conviction, be guilty of a misdemeanor and may be subject to a
5 fine ~~of~~ not more than Five Thousand Dollars (\$5,000.00) for each
6 such violation.

7 I. Land application of poultry litter in compliance with a
8 current Nutrient Management Plan shall not be the basis for criminal
9 or civil liability in Oklahoma, whether relating to that single
10 plan, or aggregated with the application of poultry waste pursuant
11 to other Nutrient Management Plans, nor shall an administrative
12 violation be the basis for a criminal or civil action, nor shall any
13 alleged violation be the basis for any private right of action, nor
14 any action other than enforcement of the terms of the Nutrient
15 Management Plan and other sections of this title by the Oklahoma
16 Department of Agriculture, Food, and Forestry. A current plan means
17 a plan approved by the Oklahoma Department of Agriculture, Food, and
18 Forestry and not yet revoked or rescinded by the state or suspended
19 by a more recent plan.

20 1. This provision shall apply both directly and vicariously to
21 the integrator with whom a contract poultry grower contracts, as
22 well as to any poultry grower, operator, contractor of, or employee
23 for a certified poultry waste applicator or a poultry waste owner's
24

1 agent, so long as the land application is performed pursuant to and
2 in compliance with the current Nutrient Management Plan.

3 2. Compliance with a current Nutrient Management Plan, as
4 determined by the Oklahoma Department of Agriculture, Food, and
5 Forestry, shall create a presumption that no violation of this
6 section has occurred and shall insulate the poultry grower,
7 integrator, and waste applicator from any private right of action
8 and shall constitute "express authority" for purposes of this title
9 and Section 4 of Title 50 of the Oklahoma Statutes.

10 3. Nothing in this subsection shall restrict the Oklahoma
11 Department of Agriculture, Food, and Forestry's exclusive authority
12 from enforcing the terms of Nutrient Management Plans or their
13 authority to enforce the Oklahoma Registered Poultry Feeding
14 Operations Act and the Oklahoma Certified Poultry Waste Applicators
15 Act.

16 4. Nothing in this section shall prohibit a civil suit for any
17 damages caused by a violation of a nutrient management plan. A
18 civil suit shall only be filed upon the completion of an enforcement
19 action by the State Board of Agriculture.

20 SECTION 4. It being immediately necessary for the preservation
21 of the public peace, health or safety, an emergency is hereby
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23
24

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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