

1 **SENATE FLOOR VERSION**

2 February 12, 2024

3 SENATE BILL NO. 1424

By: Woods

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5
6 An Act relating to the Oklahoma Registered Poultry
7 Feeding Operations Act; amending 2 O.S. 2021, Section
8 10-9.5, which relates to poultry operations;
9 requiring creation of online educational platform;
10 and providing an effective date.

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

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

14 Section 10-9.5. A. The State Board of Agriculture shall
15 provide the necessary forms and applications for any person desiring
16 or required to register a poultry feeding operation or expanding
17 operation.

18 B. The application to register to operate a new or previously
19 unregistered poultry feeding operation or expanding operation shall
20 ~~contain~~ include, at a minimum but not be limited to, the following
21 information:

- 22 1. Name and address of the owner and operator of the facility;
23 2. Name and address of the poultry feeding operation;
24 3. Number and type of poultry housed or confined;

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

3 5. A diagram or map and legal description showing geographical
4 location of the facility on which the perimeters of the facility are
5 designated, location of waters of the state, including, but not
6 limited to, drainage from the facility, poultry waste storage
7 facilities, and land-application sites owned or leased by the
8 applicant or which the applicant has contracted with for the
9 application of poultry waste;

10 6. A copy of the Nutrient Management Plan, or proof of
11 application for such plan, Best Management Practices, or any other
12 plans authorized by the Oklahoma Department of Agriculture, Food,
13 and Forestry;

14 7. A statement of ownership.

15 a. If the applicant is a corporation, the name and
16 address of the corporation and the name and address of
17 each officer and registered agent of the corporation
18 shall be included in the application.

19 b. If the applicant is a partnership or other legal
20 entity, the name and address of each partner and
21 stockholder with an ownership interest of ten percent
22 (10%) or more shall be included in the statement.

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1 c. The information contained in the statement of
2 ownership shall be public information and shall be
3 available upon request from the Board;

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

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

11 10. Environmental awards or citations received or pollution
12 prevention or voluntary remediation efforts undertaken by the
13 applicant; and

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

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

1 D. The owner of a poultry feeding operation shall be
2 responsible for sending written notification to the Department upon
3 changing integrators.

4 E. For a transfer of registration to a new owner, the new owner
5 shall register the operation pursuant to the rules of the
6 Department.

7 F. 1. All operators of poultry feeding operations and poultry
8 waste applicators shall attend educational courses on poultry waste
9 handling. All such operators and applicators shall attend
10 educational training on poultry waste management as provided by
11 Oklahoma State University through the Oklahoma Cooperative Extension
12 Service. All current and new operators and applicators shall
13 receive the initial nine (9) hours of training in the first year and
14 two (2) hours of continuing education every year until the operator
15 or applicator has received a total of nineteen (19) hours of
16 training. Any operator or applicator may attend more hours than is
17 required, however, those hours shall not be carried forward. Upon
18 receiving the nineteen (19) required hours, the operator or
19 applicator shall be required to receive two (2) hours of continuing
20 education every three (3) years. The Oklahoma Cooperative Extension
21 Service shall develop the educational training course to aid in
22 certification. Curricula for the training course will include the
23 Oklahoma Cooperative Extension Service Waste Management Facts series
24 and record books or their current equivalent. The Oklahoma

1 Cooperative Extension Service shall make all initial training and
2 continuing education available through an online platform which
3 shall be paid for pursuant to the provisions of the Poultry Waste
4 Education Revolving Fund as provided in Section 10-9.6 of this
5 title. Courses for poultry waste management shall include the
6 following topics:

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

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

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

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

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

8 SECTION 2. This act shall become effective November 1, 2024.

9 COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS
10 February 12, 2024 - DO PASS

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