

BILL SUMMARY
2nd Session of the 59th Legislature

Bill No.:	SB 1424
Version:	CCS
Request Number:	
Author:	Pfeiffer
Date:	5/28/2024
Impact:	Please see previous summary of this measure

Research Analysis

The CCS for SB 1424 amends the Oklahoma Registered Poultry Feeding Operations Act by:

- Declaring that administrative violations are not the basis for criminal or civil action and provides protections to integrators, growers, operators, contractors, and applicators;
- Declaring that any alleged violation is not the basis for any private right of action;
- Declaring that a compliant nutrient management plan means that the operation is following best management practices, which insulates the grower, integrator, and applicator from any private right of action;
- Ensuring that civil action for damages is allowed after the State Board of Agriculture completes its enforcement action;
- Placing the responsibility for maintaining educational requirements on the operators and applicators;
- Requiring revisions to the nutrient management plan when runoff of poultry waste occurs at an application site;
- Increasing the fee charged to owner or operator for violations of the act from \$200 per day to \$1,000 per day;
- Punishing the owner or operator for inaction that could lead to pollution of any stream lake, river, or creek with a fee of \$500 to \$10,000 per violation;
- Increasing the upper limit of administrative penalties for owners or operators with late or incomplete paperwork from \$200 per day to \$10,000 per day;
- Allowing ODAFF to assess a separate fee of \$10,000 for owner or operator noncompliance that has led to water pollution;
- Ensuring that fees shall be used to enforce the act;
- Providing details about the notice ODAFF sends to the integrator when an operator is disregarding best management practices;
- Outlining the integrator's responsibility to ensure the grower becomes compliant and requires the integrator to suspend bird delivery or terminate the integrator-producer relationship, depending on the circumstances;
- Allowing ODAFF to issue a penalty fee to integrators for \$100 to \$10,000 for violating any aspect of integrator-operator notification process; and
- Clarifying that an employer-employee relationship does not exist between an integrator and contractor.

Prepared By: Tricia Hines

Fiscal Analysis

The measure is currently under review and impact information will be completed.

Prepared By: House Fiscal Staff

Other Considerations

None.

© 2024 Oklahoma House of Representatives, see Copyright Notice at www.okhouse.gov