

BILL SUMMARY
2nd Session of the 59th Legislature

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| Bill No.: | SB1424 |
| Version: | FA |
| Request Number: | 10915 |
| Author: | Rep. Hardin |
| Date: | 4/24/2024 |
| Impact: | \$0.00 |

Research Analysis

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

- Revising the best management practices so that they reflect the poultry waste nutrient management plans, rather than the industry itself;
- Clarifying that the occurrence of poultry waste runoff indicates a plan revision is required;
- Clarifying that the operators of poultry feeding operations and poultry waste applicators are responsible for obtaining any required training;
- Creating an administrative penalty of no more than \$500 per day and requiring ODAFF to use penalty money to fund enforcement of the act;
- Creating a pathway for growers and integrators to achieve compliance;
- Removing the ability for a court to grant interim equitable relief or punitive damages;
- Offering liability protection from action related to poultry waste runoff, if poultry integrators and growers comply with the nutrient management plan; and
- Ensuring that nothing in the language prohibits a civil suit for damages caused by a violation of a nutrient management plan.

DIFFERENCE BETWEEN THE FLOOR SUBSTITUTE AND COMMITTEE SUBSTITUTE

The committee substitute allowed for general administrative penalties in Title 2, ranging from \$100 to \$10,000 per violation. The floor substitute creates a maximum \$500 administrative penalty per day.

The floor substitute adds an additional opportunity for the integrator and grower to meet the requirements of the plan—as long as ODAFF approves the additional measures and the timeline—before the integrator is required to issue a notice of suspension of delivery of birds to the grower within 30 days, or give 90 days' notice of termination of the integrator-producer relationship within 30 days. Both versions give ODAFF discretion to extend timelines.

The committee substitute does not have provisions related to liability protection.

Prepared By: Emily Byrne, Tricia Hines

Fiscal Analysis

According to both the Oklahoma Department of Agriculture, Food, and Forestry, and Oklahoma State University, this measure does not create a fiscal impact for these entities. Therefore, there is no fiscal impact to the state.

The floor amendment does not change the fiscal impact of the measure.

Prepared By: Mariah Searock, House Fiscal Staff

Other Considerations

None.

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