

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 2600

By: Humphrey

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5  
6 AS INTRODUCED

7 An Act relating to the Agriculture Investigative  
8 Services Unit; transferring the Agriculture  
9 Investigative Services Unit to the Oklahoma State  
10 Bureau of Investigation; transferring personnel,  
11 funds, records, encumbrances, equipment, and other  
12 items; providing requirements pertaining to the  
13 transfer of employees; providing for the transfer of  
14 administrative rules; requiring the Oklahoma  
15 Department of Agriculture, Food, and Forestry to  
16 abolish the Unit within the Department after  
17 completion of transfer; providing for transition  
18 coordinators and a transition team; providing duties  
19 of the transition team; creating the Agriculture  
20 Crime Division within the Oklahoma State Bureau of  
21 Investigation; stating purpose of division; providing  
22 for the promulgation of rules; repealing 2 O.S. 2021,  
23 Section 6-310, which relates to agriculture  
24 investigation and agriculture law enforcement agents;  
providing for codification; and providing an  
effective date.

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

SECTION 1. NEW LAW A new section of law to be codified  
in the Oklahoma Statutes as Section 6-310.1 of Title 2, unless there  
is created a duplication in numbering, reads as follows:

1           A. Effective November 1, 2023, all powers, duties and  
2 responsibilities of the Agriculture Investigative Services Unit, a  
3 division within the Oklahoma Department of Agriculture, Food, and  
4 Forestry, shall be fully transferred from the Oklahoma Department of  
5 Agriculture, Food, and Forestry.

6           B. All assets, funds, liabilities, allotments, purchase orders,  
7 outstanding financial obligations, encumbrances, records, vehicles,  
8 equipment, and other property of the Agriculture Investigative  
9 Services Unit are hereby transferred to the Oklahoma State Bureau of  
10 Investigation.

11           C. Personnel employed by the Agriculture Investigative Services  
12 Unit on November 1, 2023, shall be transferred to the Oklahoma State  
13 Bureau of Investigation pursuant to a transition plan implemented by  
14 the Oklahoma State Bureau of Investigation, the Oklahoma Department  
15 of Agriculture, Food, and Forestry and the Agriculture Investigative  
16 Services Unit as required by Section 2 of this act.

17           D. The employees who are transferred pursuant to this section  
18 shall be subject to the following provisions:

19           1. All employees who are transferred pursuant to this act shall  
20 retain leave, sick and annual time earned, and any retirement and  
21 longevity benefits which have accrued during their employment with  
22 the state. The salaries of employees who are transferred shall not  
23 be reduced as a direct and immediate result of the transfer;

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1           2. If the Oklahoma State Bureau of Investigation should  
2 implement a reduction in force, all employees transferred pursuant  
3 to this act shall be credited for the time they were employed by the  
4 Agriculture Investigative Services Unit; and

5           3. The transfer of personnel shall be coordinated with the  
6 Office of Management and Enterprise Services.

7           E. Effective November 1, 2023, any administrative rules  
8 promulgated by the Oklahoma Department of Agriculture, Food, and  
9 Forestry related to the administration of the Agriculture  
10 Investigative Services Unit and any other administrative rules  
11 related to agricultural investigations in Oklahoma shall be  
12 transferred to and become part of the administrative rules of the  
13 Oklahoma State Bureau of Investigation. The Office of  
14 Administrative Rules in the Office of the Secretary of State shall  
15 provide adequate notice in the Oklahoma Register of the transfer of  
16 rules, and shall place the transferred rules under the  
17 Administrative Code section of the Oklahoma State Bureau of  
18 Investigation.

19           F. The Director of the Oklahoma Department of Agriculture,  
20 Food, and Forestry shall abolish the Agriculture Investigative  
21 Services Unit within the Oklahoma Department of Agriculture, Food,  
22 and Forestry after such transfer has been completed.

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1           SECTION 2.           NEW LAW           A new section of law to be codified  
2 in the Oklahoma Statutes as Section 6-310.2 of Title 2, unless there  
3 is created a duplication in numbering, reads as follows:

4           A.   The Director of the Oklahoma State Bureau of Investigation,  
5 the Director of the Oklahoma Department of Agriculture, Food, and  
6 Forestry and the Director of the Agriculture Investigative Services  
7 Unit shall serve as transition coordinators and shall establish a  
8 transition team to coordinate the orderly transfer of duties,  
9 personnel, property, funds, and encumbrances from and consolidation  
10 of the Agriculture Investigative Services Unit to the Oklahoma State  
11 Bureau of Investigation. Each Director may assign personnel to the  
12 transition team as deemed necessary.

13           B.   The transition team shall:

14           1.   In conjunction with the Office of Management and Enterprise  
15 Services, oversee and administer the orderly transfer of  
16 responsibilities, assets, funds, liabilities, allotments, purchase  
17 orders, vehicles and other property, records, personnel and any  
18 outstanding financial obligations or encumbrances to the Oklahoma  
19 State Bureau of Investigation from the Agriculture Investigative  
20 Services Unit;

21           2.   Review functions currently assigned to or managed by the  
22 Agriculture Investigative Services Unit and the Oklahoma State  
23 Bureau of Investigation;

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1           3. Establish a plan for the transfer of employees from the  
2 Agriculture Investigative Services Unit to the Oklahoma State  
3 Bureau of Investigation. The plan shall include a list of positions  
4 to be transferred. The plan also shall include a reduction-in-force  
5 plan and a severance benefits plan that conform with the  
6 requirements of the State Government Reduction-in-Force and  
7 Severance Benefits Act; and

8           4. Take such other action as may be reasonably necessary and  
9 appropriate to effectuate the orderly transition of functions as  
10 provided by this act.

11           SECTION 3.           NEW LAW           A new section of law to be codified  
12 in the Oklahoma Statutes as Section 165.5 of Title 74, unless there  
13 is created a duplication in numbering, reads as follows:

14           A. There is hereby created the Agricultural Crime Division  
15 within the Oklahoma State Bureau of Investigation. The purpose of  
16 the division shall be to address issues related to crime related to  
17 agriculture in Oklahoma including, but not limited to, enforcing the  
18 civil, criminal, and administrative provisions relating to livestock  
19 theft, animal health and importation statutes and theft of farming  
20 equipment and farm implements, as well as any other law contained in  
21 the Oklahoma Agricultural Code.

22           B. The Director of the Oklahoma State Bureau of Investigation  
23 shall adopt and promulgate such rules as may be necessary to carry  
24 out the duties of the Agricultural Crime Division.

1 SECTION 4. REPEALER 2 O.S. 2021, Section 6-310, is  
2 hereby repealed.

3 SECTION 5. This act shall become effective November 1, 2023.  
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