# An Act

ENROLLED HOUSE
BILL NO. 2264

By: Cox of the House

and

David of the Senate

An Act relating to animals; amending 4 O.S. 2011, Sections 392, 393, 397 and 399, which relate to using animals for scientific or educational activities; transferring licensing duties from State Board of Health to Oklahoma Department of Agriculture, Food, and Forestry; providing for transfer of certain records; and providing an effective date.

SUBJECT: Transferring licensing duties for use of animals for scientific or educational activities

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

SECTION 1. AMENDATORY 4 O.S. 2011, Section 392, is amended to read as follows:

Section 392. An institution requiring for the effective carrying on of its scientific or educational activities the use of live dogs and cats may apply to the ~~State Board of Health~~ Oklahoma Department of Agriculture, Food, and Forestry for a license to obtain animals from the establishment maintained and operated by public funds for the confinement, care and disposal of animals seized by public authority, commonly called the "dog pound". If the ~~State Board of Health~~ Oklahoma Department of Agriculture, Food, and Forestry finds that the institution, by reason of its ethical standards, its personnel, its facilities and the uses it proposes to make of animals is a fit and proper agency to receive a license, and that the public interest would be served by the issuance of a license to the institution, it shall issue a license to the institution, subject to the restrictions and limitations hereinafter provided.

SECTION 2. AMENDATORY 4 O.S. 2011, Section 393, is amended to read as follows:

Section 393. A license shall expire annually on June 30, but may be renewed annually from year to year on application to the ~~State Board of Health~~ Oklahoma Department of Agriculture, Food, and Forestry, and on compliance with the conditions required with respect to the original issuance of the license.

SECTION 3. AMENDATORY 4 O.S. 2011, Section 397, is amended to read as follows:

Section 397. The ~~State Board of Health~~ Oklahoma Department of Agriculture, Food, and Forestry, after notice and a reasonable opportunity to defend, may revoke the license granted an institution (1) if the institution has violated any provision of this act or any rule or regulation promulgated by the ~~State Board of Health~~ Oklahoma Department of Agriculture, Food, and Forestry pursuant hereto; (2) if the standards, personnel, facilities, practices or activities of an institution are such that the continued exercise of the rights conferred by the license issued to the institution is not in the public interest.

SECTION 4. AMENDATORY 4 O.S. 2011, Section 399, is amended to read as follows:

Section 399. A. The ~~State Board of Health~~ Oklahoma Department of Agriculture, Food, and Forestry shall have the power to adopt such rules and regulations, not inconsistent with the laws of Oklahoma, as it may deem necessary to carry into effect the provisions of this act. The ~~Commissioner of Health~~ Secretary of Agriculture shall have the right whenever it deems advisable to inspect or investigate any institution to which it has granted a license or which has applied for a license.

B. Effective November 1, 2012, all records maintained by the State Board of Health for the purposes of licensing institutions pursuant to Sections 391 through 402 of this title shall be transferred to the Oklahoma Department of Agriculture, Food, and Forestry.

SECTION 5. This act shall become effective November 1, 2012.

Passed the House of Representatives the 20th day of February, 2012.

Presiding Officer of the House of Representatives

Passed the Senate the 16th day of April, 2012.

Presiding Officer of the Senate

**OFFICE OF THE GOVERNOR**

**Received by the Governor this** 17th **day of** April, **20** 12, **at** 1:08 **o'clock** PM.

By: Jessica R. Rogers

**Approved by the Governor of the State of Oklahoma the** 23rd **day of** April, **20** 12, **at** 10:27 **o'clock** AM.

**Governor of the State of Oklahoma**

**OFFICE OF THE SECRETARY OF STATE**

**Received by the Secretary of State this** 23rd **day of** April, **20** 12, **at** 2:25 **o'clock** P. **M.**

By: Michelle Day