

An Act

ENROLLED SENATE
BILL NO. 152

By: Loveless of the Senate

and

Denney of the House

An Act relating to the location of commercial pet breeder operations in municipalities; amending 11 O.S. 2011, Section 22-115.1, which relates to Oklahoma Municipal Code; modifying category; restricting location of commercial pet breeders near schools and day care facilities; defining term; and providing an effective date.

SUBJECT: Location of commercial pet breeders

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

SECTION 1. AMENDATORY 11 O.S. 2011, Section 22-115.1, is amended to read as follows:

Section 22-115.1. A. ~~Upon the effective date of this act, no~~ No dog kennel commercial pet breeder shall be located within two thousand five hundred (2,500) feet of a public or private school or licensed day care facility in a municipality having a population of more than three hundred thousand (300,000). Provided, this prohibition shall not apply to a ~~dog kennel commercial pet breeder~~ that was lawfully in operation and in full compliance with all licensing, permitting, and zoning requirements applicable to said kennel the commercial pet breeder prior to the effective date of this act.

B. ~~Upon the effective date of this act, no~~ No public officer or employee shall issue any type of license, permit, approval or

consent for a ~~dog-kennel~~ commercial pet breeder to be located within two thousand five hundred (2,500) feet of a public or private school or licensed day care facility in a municipality having a population of more than three hundred thousand (300,000).

C. Applications for a ~~dog-kennel~~ commercial pet breeder license or for any governmental permit, approval or consent needed to authorize the lawful operation of a ~~dog-kennel~~ commercial pet breeder that are pending on the effective date of this act shall be subject to the prohibitions set forth in subsections A and B of this section.

D. The provisions of subsections A and B of this section may be enforced by any public officer within whose jurisdiction a noncompliant ~~dog-kennel~~ commercial pet breeder is located or by any other person aggrieved in any way by noncompliance with ~~said~~ the provisions. Enforcement action may include a civil suit for an injunction filed in the district court in the county where a noncompliant ~~dog-kennel~~ commercial pet breeder is located.

E. Any municipality is hereby authorized to enact an ordinance consistent with the provisions of this section and to enforce ~~said~~ the ordinance by prosecution of violations in the municipal court, as provided by law.

F. For the purposes of this section, the term "~~dog-kennel commercial pet breeder~~" means ~~any place other than a federal, state or municipal facility, veterinary hospital or medical research institute, where more than four dogs beyond the age of six (6) months are kept, harbored, boarded, sheltered or bred~~ shall have the same meaning as given in Section 30.2 of Title 4 of the Oklahoma Statutes.

SECTION 2. This act shall become effective November 1, 2015.

Passed the Senate the 3rd day of March, 2015.

Kim Daniel
Presiding Officer of the Senate

Passed the House of Representatives the 2nd day of April, 2015.

John D. Boren
Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 7th
day of April, 20 15, at 2:40 o'clock pm M.

By: Summer Curry

Approved by the Governor of the State of Oklahoma this 10th
day of April, 20 15, at 9:37 o'clock A M.

Mary Fallin
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 10th
day of April, 20 15, at 1:48 o'clock P. M.

By: Chris Dennis