STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1104

By: Biggs

COMMITTEE SUBSTITUTE

An Act relating to feral swine; amending 2 O.S. 2011, Sections 6-602, 6-608, as amended by Section 1, Chapter 28, O.S.L. 2012, 6-609, as amended by Section 2, Chapter 28, O.S.L. 2012 and 6-613, as amended by Section 3, Chapter 32, O.S.L. 2012 (2 O.S. Supp. 2014, Sections 6-608, 6-609 and 6-613), which relate to the Feral Swine Control Act; requiring certain persons to kill all feral swine upon capture; modifying exception to importing feral swine; specifying license required to transport feral swine; prohibiting the Oklahoma Department of Agriculture, Food, and Forestry from issuing license after certain date; prohibiting commingling of certain swine; limiting time feral swine may be held at handling facility; prohibiting certain breeding; requiring certain feral swine to be individually identified; specifying tagging system; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 2 O.S. 2011, Section 6-602, is amended to read as follows:

Section 6-602. A. The purpose of the Feral Swine Control Act is to provide aggressive measures to reduce the number of feral
swine in Oklahoma. Feral swine are a nonnative invasive species in Oklahoma that are detrimental to the natural resources of Oklahoma and agriculture production, and a disease risk. As the feral swine population increases, the citizens of Oklahoma continue to see increased damage to crops, livestock, and wildlife habitat. As carriers of diseases like brucellosis, pseudorabies, tuberculosis, anthrax, and trichinosis, feral swine pose an increasing health risk to humans, livestock, companion animals, pets, and native wildlife.

B. Any person who meets the hunting requirements of the Department of Wildlife Conservation shall be obligated to kill any and all feral swine upon capture, unless licensed to transport pursuant to the Feral Swine Control Act.

SECTION 2. AMENDATORY 2 O.S. 2011, Section 6-608, as amended by Section 1, Chapter 28, O.S.L. 2012 (2 O.S. Supp. 2014, Section 6-608), is amended to read as follows:

Section 6-608. A. No person shall import live feral swine into this state unless the live feral swine are going directly to a slaughter facility in a sealed trailer and accompanied by a USDA ve 1-27 permit for the movement of restricted animals except by order of the State Veterinarian.

B. All feral swine in this state that test positive for brucellosis or pseudorabies shall be immediately sent directly to slaughter or slaughtered on the premises pursuant to an order issued by the State Veterinarian.
SECTION 3.  AMENDATORY  2 O.S. 2011, Section 6-609, as amended by Section 2, Chapter 28, O.S.L. 2012 (2 O.S. Supp. 2014, Section 6-609), is amended to read as follows:

Section 6-609. A. The State Board of Agriculture shall promulgate rules for the testing and intrastate movement of live feral swine.

B. All persons that transport live feral swine in this state shall be required to obtain a transporter and handling facility license from the Oklahoma Department of Agriculture, Food, and Forestry.

C. Live feral swine shall only be transported to the following:
   1. A licensed sporting facility;
   2. A licensed handling facility;
   3. Directly to an approved slaughter facility; or
   4. Pursuant to an order issued by the State Veterinarian.

D. The Department shall not issue a new license for a licensed sporting facility after July 1, 2015. Any applicant for a licensed handling facility that can show significant investment committed prior to January 27, 2015, to a proposed licensed sporting facility may obtain a new licensed sporting facility license after July 1, 2015.

E. No person shall commingle feral swine with domestic swine at any time. No person shall hold feral swine on any premises where domestic swine are located.
F. No person shall hold feral swine at a licensed handling facility for more than thirty (30) consecutive days unless the feral swine are held solely for domestic consumption purposes. No person shall allow breeding of feral swine held for domestic consumption purposes.

G. Any person adding feral swine to a licensed sporting facility shall ensure each feral swine is individually identified with a form of official identification prior to entry into the licensed sporting facility.

SECTION 4. AMENDATORY 2 O.S. 2011, Section 6-613, as amended by Section 3, Chapter 32, O.S.L. 2012 (2 O.S. Supp. 2014, Section 6-613), is amended to read as follows:

Section 6-613. A person shall not be considered the owner of a feral swine if, within a twenty-four-hour period, the person catches, tags the feral swine utilizing the Judas pig tagging system, and releases the feral swine in the same location that it was caught.

SECTION 5. This act shall become effective July 1, 2015.

SECTION 6. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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