

1 ENGROSSED SENATE AMENDMENT
TO

2 ENGROSSED HOUSE
BILL NO. 2178

By: Pfeiffer of the House

3
4 and

Hall of the Senate

5
6
7 An Act relating to crimes and punishments; amending
8 21 O.S. 2011, Section 1222, which relates to
9 disposition of animals dying of contagious or
10 infectious diseases; requiring disposal of certain
11 animal carcass to be in accordance with certain
12 recommendations; and providing an effective date.

13 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and
14 entire bill and insert

15 "An Act relating to animals and carcasses; amending
16 21 O.S. 2011, Section 1223, which relates to leaving
17 carcasses in certain places; requiring disposal of
18 carcasses according to requirements of the Oklahoma
19 Department of Agriculture, Food, and Forestry;
20 requiring disposal within a certain time; defining
21 term; providing for misdemeanor; repealing 21 O.S.
22 2011, Sections 1221, 1222, 1224, 1225, 1226, 1227 and
23 1228, which relate to diseased domestic animals, duty
24 to dispose of diseased domestic animals, penalties,
unclean slaughterhouses, penalty for buying or
selling diseased animals and unlawful disposition of
infected swine; and providing an effective date.

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

1 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1223, is
2 amended to read as follows:

3 Section 1223. A. It shall be unlawful for any person to leave
4 or deposit, or cause to be deposited or left, the carcass of any
5 animal, chicken or other fowl, ~~whether the same shall have died from~~
6 ~~disease or otherwise,~~ in any well, spring, pond or stream of water;
7 or leave or deposit the same within one-fourth (1/4) mile of any
8 occupied dwelling or of any public highway, without burying ~~the same~~
9 ~~as provided in the preceding section of this act~~ or disposing of the
10 carcass in accordance with the recommendations and requirements of
11 the Oklahoma Department of Agriculture, Food, and Forestry.

12 B. It shall be the duty of the owner of any domestic animal in
13 the State of Oklahoma to dispose of any carcass within twenty-four
14 (24) hours after notice of the knowledge of the death. Disposal
15 shall be in accordance with the recommendations and requirements of
16 the Oklahoma Department of Agriculture, Food, and Forestry. It
17 shall be unlawful to bury any carcass in any land along any stream
18 or ravine where it may become exposed through erosion of the soil,
19 or where the land is at any time subject to overflow.

20 C. "Owner" shall mean and include any person having possession
21 of domestic animals either by reason of ownership, rent, hire, loan,
22 or otherwise.

23 D. Any person who violates this section shall be guilty of a
24 misdemeanor.

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8 21 O.S. 2011, Section 1222, which relates to
9 disposition of animals dying of contagious or
10 infectious diseases; requiring disposal of certain
11 animal carcass to be in accordance with certain
12 recommendations; and providing an effective date.

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

14 SECTION 10. AMENDATORY 21 O.S. 2011, Section 1222, is
15 amended to read as follows:

16 Section 1222. It shall be the duty of the owner of any domestic
17 animal in the State of Oklahoma, ~~which may hereafter die~~ that dies
18 ~~of any contagious or infectious disease, either to burn the carcass~~
19 ~~thereof or bury the same~~ to dispose of the carcass within twenty-
20 four (24) hours after ~~he has~~ notice or knowledge of such fact ~~so~~
21 ~~that.~~ Disposal shall be in accordance with recommendations and
22 requirements of the Oklahoma Department of Agriculture, Food, and
23 Forestry. If buried no part of such the carcass shall be nearer
24 than two and one-half (2 1/2) feet of the surface of the soil.
~~Provided, That all hogs dying of any disease shall be burned. It~~

1 shall further be unlawful to bury any ~~such carcass as mentioned in~~
2 ~~this section~~ in any land along any stream or ravine, where it is
3 liable to become exposed through erosion of the soil, or where such
4 land is any time subject to overflow. "Owner", as used in this
5 section, shall mean and include any person having possession of
6 domestic animals ~~in his possession~~, either by reason of ownership,
7 rent, hire, loan, or otherwise, and shall be subject to ~~all the~~
8 ~~pains and penalties of this article~~ the penalty provided in Section
9 1224 of this title.

10 SECTION 11. This act shall become effective November 1, 2019.

11 Passed the House of Representatives the 7th day of March, 2019.

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14 Presiding Officer of the House
of Representatives

15 Passed the Senate the ___ day of _____, 2019.

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18 Presiding Officer of the Senate