

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 722

By: Kern

AS INTRODUCED

An Act relating to agriculture; amending 2 O.S. 2021, Section 1-3, which relates to definitions; modifying definitions; amending 2 O.S. 2021, Section 4-20, which relates to the official animal identification agency; prohibiting certain monitoring; updating statutory references; updating statutory language; and providing an effective date.

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

SECTION 1. AMENDATORY 2 O.S. 2021, Section 1-3, is amended to read as follows:

Section 1-3. For the purposes of the Oklahoma Agricultural Code, unless the context indicates otherwise:

1. "Authorized agent" means a person who has been authorized by the State Board of Agriculture to act on behalf of the Board in making investigations, inspections, performing other services, or doing any particular act or acts which have been vested by the Oklahoma Agricultural Code in the Board. A written or printed commission signed by the President of the Board shall be proof that

1 the holder has lawful authority to act on behalf of the Board in  
2 implementing the Oklahoma Agricultural Code;

3 2. "Beef" means the flesh of a bovine animal;

4 3. "Beef product" means the edible products produced in whole  
5 or in part from beef, excluding milk and milk products;

6 4. "Board" means the State Board of Agriculture;

7 5. "Code" means the Oklahoma Agricultural Code;

8 6. "Department" means the Oklahoma Department of Agriculture,  
9 Food, and Forestry and its employees, officers, and divisions.

10 Whenever the name ~~"Department of Agriculture"~~ Department of  
11 Agriculture appears in any law, contract or other document, it shall  
12 be deemed to refer to the Oklahoma Department of Agriculture, Food,  
13 and Forestry;

14 7. "Director" means the Director of a division established in  
15 the Oklahoma Department of Agriculture, Food, and Forestry;

16 8. "License" means a written document issued by the Board  
17 granting authority to a person to engage in a business, occupation,  
18 or activity;

19 9. "Livestock" or "animals" means any cattle, bison, horses,  
20 sheep, goats, asses, mules, swine, domesticated rabbits, and  
21 chickens, turkeys, and other domesticated fowl, and any animal or  
22 bird in captivity;

23 10. "Official identification" means any official method of  
24 identification approved by ~~USDA~~ the United States Department of

1 Agriculture, as described by 9 C.F.R., ~~§~~ Section 86.1, or the State  
2 Veterinarian; provided, that no official identification shall be  
3 used to monitor electronically any animal of this state. Official  
4 identification for specific species may be further defined within  
5 the applicable section of the Oklahoma Administrative Code.  
6 Backtags shall not be considered official identification unless the  
7 animal is shipped directly to slaughter. The term "official ear  
8 tag" is synonymous with ~~"official identification"~~ official  
9 identification;

10 11. "Permit" means a written document issued by the Board  
11 giving consent for a person to engage in an activity;

12 12. "Person" means the state, any municipality, political  
13 subdivision, institution, individual, public or private corporation,  
14 partnership, association, firm, company, public trust, joint-stock  
15 company, trust, estate, state or federal agency, other governmental  
16 entity, or any other legal entity or an agent, employee,  
17 representative, assignee or successor thereof;

18 13. "Pork" means the flesh of a porcine animal;

19 14. "Pork products" means a product or byproduct produced in  
20 whole or in part from pork;

21 15. "President" means the President of the State Board of  
22 Agriculture. The President of the State Board of Agriculture shall  
23 also be designated as the Commissioner of Agriculture;  
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1       16. "Producer" means any person planting, raising, growing, or  
2 harvesting agricultural products;

3       17. "Quarantine" means a written document issued by the Board  
4 to restrict the movement of animals, birds, plants, or agricultural  
5 commodities into or out of a specified area for the control or  
6 prevention of diseases or pests; and

7       18. "Stop sale order" or "stop use order" means a written or  
8 printed order signed by the President or authorized agent of the  
9 Board, prohibiting the sale, offering for sale, exposure for sale,  
10 or use of any agricultural product, article, device, service, or  
11 commodity covered by the Oklahoma Agricultural Code.

12       SECTION 2.       AMENDATORY       2 O.S. 2021, Section 4-20, is  
13 amended to read as follows:

14       Section 4-20. A. The Oklahoma Department of Agriculture, Food,  
15 and Forestry shall be the official animal identification agency of  
16 the state and shall be the official agency of the state in any  
17 dealings between this state and the United States Department of  
18 Agriculture, any other federal agency, or any agency or person of  
19 this or another state on matters pertaining to animal  
20 identification.

21       B. It is the intent of the ~~Oklahoma State~~ Legislature to direct  
22 and authorize the Oklahoma Department of Agriculture, Food, and  
23 Forestry to develop, implement, and administer an Oklahoma Animal  
24 Identification Program that achieves the following goals:

1       1. Enhance disease preparedness by rapidly identifying animals  
2 exposed to disease, thus allowing quick detection, containment, and  
3 elimination of disease threats;

4       2. Promote continued confidence in animal products and to  
5 protect the health status of Oklahoma's herds and flocks;

6       3. Identify infected and exposed premises, animals, and groups  
7 of animals;

8       4. Develop a comprehensive infrastructure that utilizes state-  
9 of-the-art national and international standards with the best  
10 available and practical technologies for the collection and  
11 recording of livestock and food animal movements; and

12       5. Be dynamic and flexible, and incorporate new and proven  
13 technologies as they become available.

14       C. The Department shall be authorized to promulgate rules for  
15 the implementation and administration of the Oklahoma Animal  
16 Identification Program, if one of the following occurs:

17       1. The United States Department of Agriculture issues proposed  
18 or final rules or requirements for the implementation of a national  
19 animal identification or premises registration program;

20       2. The United States Congress enacts requirements for a  
21 national animal identification or premises registration system; or

22       3. Another state establishes requirements for animal  
23 identification or premises registration affecting the importation of  
24 livestock from Oklahoma.

1 D. Any rules promulgated by the Department pursuant to this  
2 section that may be reasonably necessary to implement the Oklahoma  
3 Animal Identification Program may include the following:

4 1. Premises identification;  
5 2. Individual animal identification;  
6 3. Group and lot animal identification;  
7 4. Specifications and standards for the identification  
8 technologies used to track and trace animal movements; provided,  
9 that the rule shall not be used to monitor electronically any animal  
10 of this state;

11 5. Record keeping; and  
12 6. Protecting and improving the health of Oklahoma livestock  
13 and food animals.

14 E. The Department may charge fees; however, the fees shall be  
15 limited to the actual costs of the Department for the implementation  
16 and administration of the Oklahoma Animal Identification Program.

17 F. Pursuant to this section and rules promulgated pursuant  
18 thereto, any data or records provided to the Department by persons  
19 regarding premises or animal identification, including the name and  
20 address of the provider, shall be kept confidential except in the  
21 following circumstances:

22 1. Federal law requires the information for a ~~National Animal~~  
23 ~~Identification~~ national animal identification program;

1        2. The Department deems release of confidential information to  
2 other state and federal agencies is necessary for disease control  
3 and disease traceback;

4        3. The information is needed to assist law enforcement  
5 officials in livestock recovery and theft investigations; and

6        4. The Department may release information as needed to assist  
7 in criminal investigations or tracebacks concerning violations of  
8 state or federal pharmacy acts and drug residues.

9        G. In the event that information regarding premises or animal  
10 identification is provided to other individuals or entities, the  
11 information shall be specific and not cumulative.

12        H. A court shall quash any subpoena commanding the disclosure  
13 of confidential information or records of the Department.

14        SECTION 3. This act shall become effective November 1, 2025.  
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