

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1581 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Mickey Dollens _____

Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 PROPOSED COMMITTEE
4 SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1581

By: Dollens

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8 PROPOSED COMMITTEE SUBSTITUTE

9 An Act relating to animals; prohibiting pet stores
10 from selling dogs or cats; allowing pet stores to
11 display dogs and cats under certain conditions;
12 imposing penalty for violations; authorizing the
13 Attorney General to file certain action; authorizing
14 municipalities to enforce prohibition and adopt
15 certain ordinances; defining terms; providing for
16 codification; and providing an effective date.

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

18 SECTION 1. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 33 of Title 4, unless there is
20 created a duplication in numbering, reads as follows:

21 A. It shall be unlawful for a pet store to sell or offer for
22 sale a dog or cat.

23 B. The prohibition in subsection A of this section shall not
24 restrict a pet store from providing space for the display of dogs

1 and cats by an animal rescue organization or a public animal
2 shelter, provided that all of the following requirements are met:

3 1. No part of any fees associated with the display or adoption
4 of any dog or cat, including, but not limited to, adoption fees or
5 fees for the provision of space, shall be paid to the pet store or
6 to any entity affiliated with the pet store; and

7 2. The pet store shall not have any ownership interest in any
8 dog or cat displayed for adoption.

9 C. A pet store that sells or offers for sale a dog or cat in
10 violation of this section shall be subject to a penalty of Five
11 Hundred Dollars (\$500.00) for each violation. Each animal, each
12 action or each day a violation continues constitutes a separate and
13 distinct violation.

14 D. 1. In addition to any other remedy provided by law, the
15 Attorney General may file an action in a court of competent
16 jurisdiction for a violation of this section, including petitioning
17 for injunctive relief or to recover any costs or damages suffered by
18 the state because of a violation of this section, including
19 enforcement costs relating to the specific violation and attorney
20 fees.

21 2. Municipalities of this state may enforce the provisions of
22 this section by adopting an ordinance describing what conduct
23 relating to the sale of dogs or cats by pet stores is unlawful and
24 providing for local investigatory authority and penalties, including

1 a monetary penalty no greater than that established by subsection C
2 of this section.

3 3. In addition to any authority conferred upon municipalities
4 under paragraph 2 of this subsection, municipalities of this state
5 may adopt ordinances prohibiting the sale of dogs or cats by pet
6 stores or regulating the breeding of such animals by any person.

7 E. As used in this section:

8 1. "Pet store" means a retail store where animals are kept,
9 sold or offered for sale on the premises. Such term shall include
10 any owner or operator of the business. An animal rescue
11 organization or public animal shelter, as defined in this
12 subsection, shall not be considered a pet store.

13 2. "Sell" means to exchange for consideration, adopt out,
14 barter, auction, trade, lease or otherwise transfer.

15 3. "Offer for sale" means to display or proffer for acceptance
16 by another person.

17 4. "Animal rescue organization" means a nonprofit organization
18 incorporated under the law of any state and exempt from federal
19 taxation under Section 501(c)(3) of the federal Internal Revenue
20 Code and whose principal purpose is the prevention of cruelty to
21 animals and whose principal activity is to rescue sick, injured,
22 abused, neglected, unwanted, abandoned, orphaned, lost or displaced
23 animals and to adopt them to good homes. "Animal rescue
24

1 organization" shall not include any entity that breeds animals or
2 that:

- 3 a. is located on the same premises as,
- 4 b. has any personnel in common with,
- 5 c. obtains, in exchange for payment or any other form of
6 compensation, dogs or cats from, or
- 7 d. facilitates the sale of dogs or cats obtained from,
8 a person that breeds animals.

9 5. "Public animal shelter" means a facility operated by or
10 under contract with any state, or a political subdivision of any
11 state, for the impoundment and care of seized, stray, homeless,
12 abandoned, unwanted or surrendered animals.

13 6. "Cat" means any member of the species *Felis catus*.

14 7. "Dog" means any member of the species *Canis familiaris*.

15 8. "Person" means an individual, corporation, organization,
16 partnership or any other entity.

17 SECTION 2. This act shall become effective November 1, 2021.

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19 58-1-7461 AMM 02/12/21

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