

1 ENGROSSED SENATE  
2 BILL NO. 375

By: Allen and Brecheen of the  
Senate

3 and

4 Enns of the House  
5  
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7 An Act relating to horsemeat; amending 63 O.S. 2011,  
8 Sections 1-1136, 1-1137 and 1-1138, which relate to  
9 unlawful possession of horsemeat intended for sale  
10 for human consumption, unlawful transferring of  
11 possession of horsemeat to any person with the intent  
12 to sell for human consumption, prima facie evidence  
13 of horsemeat intended for human consumption; making  
14 it lawful to internationally export horsemeat  
intended for human consumption; making language  
gender neutral; making it lawful to transfer  
possession of horsemeat intended for human  
consumption outside the United States; modifying  
facts that shall be prima facie evidence of horsemeat  
intended to be sold unlawfully for human consumption;  
and providing an effective date.

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

18 SECTION 1. AMENDATORY 63 O.S. 2011, Section 1-1136, is  
19 amended to read as follows:

20 Section 1-1136. A. It shall be unlawful for any person to  
21 sell, offer or exhibit for sale, or have in his or her possession  
22 with intent to sell, any quantity of horsemeat for human consumption  
23 within the United States.  
24

1       B. It shall be lawful to sell, offer or exhibit for sale, or  
2 have in his or her possession with intent to sell, any quantity of  
3 horsemeat for human consumption if:

4       1. The horsemeat is to be exported internationally;

5       2. The horses are sold through a livestock auction; and

6       3. The horses are purchased by a livestock dealer.

7       SECTION 2.       AMENDATORY       63 O.S. 2011, Section 1-1137, is  
8 amended to read as follows:

9       Section 1-1137. It shall be unlawful for any person to transfer  
10 the possession of any horsemeat to any other person when the person  
11 so transferring knows, or in the exercise of a reasonable discretion  
12 should have known, that the person receiving the horse meat intends  
13 to sell it, offer it for sale, exhibit it for sale, or keep it in  
14 his or her possession with intent to sell it for human consumption  
15 within the United States.

16       SECTION 3.       AMENDATORY       63 O.S. 2011, Section 1-1138, is  
17 amended to read as follows:

18       Section 1-1138. Any of the following facts shall be prima facie  
19 evidence that horsemeat was intended to be sold unlawfully for human  
20 consumption:

21       (a) the presence of horsemeat in any quantity in any retail  
22 store where the meat of cattle, sheep, swine, or goats is being  
23 exhibited or kept for sale, ~~unless such horsemeat be in an unopened,~~  
24

1 ~~properly labeled package or container not exceeding five (5) pounds~~  
2 ~~in weight.~~

3 ~~(b) the presence of horsemeat in any quantity within the~~  
4 ~~establishment, warehouse, meat locker, meat cooler, or other place~~  
5 ~~of storage or handling of any wholesaler of the meat of cattle,~~  
6 ~~sheep, swine, or goats, unless such horsemeat be in properly-labeled~~  
7 ~~containers as described above.~~

8 ~~(c) the presence of horsemeat mixed and commingled with the meat~~  
9 ~~of cattle, sheep, swine, or goats in hamburger, sausage or other~~  
10 ~~processed meat products.~~

11 ~~(d) the transportation of processed horsemeat, unless the~~  
12 ~~horsemeat is in individual, properly-labeled packages or containers,~~  
13 ~~not to exceed five (5) pounds in weight.~~

14 ~~(e) the presence of horsemeat in, or the delivery or attempted~~  
15 ~~delivery of horsemeat to, any restaurant or cafe within the United~~  
16 ~~States.~~

17 ~~(f) the presence of horsemeat in, or the delivery or attempted~~  
18 ~~delivery of horsemeat to, any establishment preparing, canning, or~~  
19 ~~processing meat food products from the meat of cattle, sheep, swine,~~  
20 ~~or goats, such as, but not limited to, chili con carne, beef hash,~~  
21 ~~and beef stew.~~

22 SECTION 4. This act shall become effective November 1, 2013.  
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1 Passed the Senate the 20th day of February, 2013.

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3 \_\_\_\_\_  
4 Presiding Officer of the Senate

5 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
6 2013.

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8 \_\_\_\_\_  
9 Presiding Officer of the House  
10 of Representatives