

STATE OF OKLAHOMA

2nd Session of the 50th Legislature (2006)

SENATE BILL 1605

By: Shurden

AS INTRODUCED

An Act relating to crimes and punishments; prohibiting certain entities from prohibiting certain substances or materials on public property; providing certain exceptions; making certain rules and policies unenforceable; setting misdemeanor penalty; providing for codification; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1380 of Title 21, unless there is created a duplication in numbering, reads as follows:

Except as specifically provided by state or federal law, no governmental agency or public trust shall be authorized to prohibit on the premises of such agency or public trust, either by rule or policy, any substance or material otherwise lawful in this state to be possessed by the citizens of this state on other public property, except when such substance or material presents an immediate danger to, or imposes a significant risk of injury or loss to, the public at large, public property, or any person employed by or residing on such agency's premises. Any prohibition enacted by any governmental agency or public trust in violation of this section shall be deemed unenforceable, and the person who is the executive officer of such agency or public trust may be punished for any violation of the provisions of this section by a misdemeanor fine in an amount not to exceed One Hundred Dollars (\$100.00) per day while such rule or policy is enacted.

SECTION 2. 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.

50-2-2235

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