

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 SENATE BILL 1554

By: Bingman

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5
6 AS INTRODUCED

7 An Act relating to contracts; amending 15 O.S. 2001,
8 Section 777.4, which relates to the Emergency Price
9 Stabilization Act; exempting price increases for
10 petroleum; and declaring an emergency.

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

12 SECTION 1. AMENDATORY 15 O.S. 2001, Section 777.4, is
13 amended to read as follows:

14 Section 777.4 A. No person for the duration of a declaration
15 of emergency by the Governor of this state or by the President of
16 the United States and for thirty (30) days thereafter shall sell,
17 rent, or lease, or offer to sell, rent, or lease, for delivery in
18 the emergency area, any goods, services, dwelling units, or storage
19 space in the emergency area at a rate or price which is more than
20 ten percent (10%) above the rate or price charged by the person for
21 the same or similar goods, services, dwelling units, or storage
22 spaces immediately prior to the declaration of emergency unless the
23 increase in the rate or price is attributable ~~only to~~ _____

1 1. To price increases in applicable regional, national or
2 international petroleum commodity markets; or

3 2. Only to factors unrelated to the emergency and does not
4 include any increase in profit to the seller or owner.

5 B. Upon the expiration of the period described in subsection A
6 of this section and for one hundred eighty (180) days thereafter, no
7 person shall, within the emergency area, rent or lease or offer to
8 rent or lease any dwelling unit or storage space or sell or offer to
9 sell goods for use within the emergency area to repair, restore,
10 remodel, or construct any dwelling unit for a price of more than ten
11 percent (10%) above the price charged by that person for the
12 dwelling unit, storage space, or goods immediately prior to the
13 declaration of emergency unless the increase in the price is
14 attributable to factors:

15 1. Price increases in applicable regional, national, or
16 international petroleum commodity markets; or

17 2. Factors unrelated to the emergency and does not include any
18 increase in profit to the seller or owner.

19 C. A rate or price increase approved by the appropriate
20 governmental agency is not a violation of this act.

21 D. This section shall not apply to growers, producers, or
22 processors of raw or processed food products, except for retail
23 sales of such products to a consumer.

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1 E. This section shall not apply to sales, rentals, or leases of
2 goods from a catalog when the catalog is made available in the
3 normal course of business both prior to and after the declaration of
4 emergency to all persons regardless of location in the emergency
5 area.

6 F. This section shall not apply to advertised rates and prices
7 which are subject to a published expiration date within or
8 immediately prior to the declaration of emergency.

9 SECTION 2. It being immediately necessary for the preservation
10 of the public peace, health and safety, an emergency is hereby
11 declared to exist, by reason whereof this act shall take effect and
12 be in full force from and after its passage and approval.

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