

1 ENGROSSED SENATE AMENDMENT
TO

2 ENGROSSED HOUSE
BILL NO. 2419

By: Enns of the House

3
4 and

Johnson (Rob) of the Senate

5
6
7 An Act relating to property; prohibiting certain
8 liability for owners of storm shelters for time
9 prescribed; defining term; providing for
codification; and providing an effective date.

10 AUTHOR: Add the following Senate Coauthor: Shortey

11 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and
12 entire bill and insert the following floor
substitute

13 "An Act relating to tort liability; prohibiting
14 certain liability during severe weather; defining
15 terms; providing for codification; and declaring an
emergency.

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

17 SECTION 1. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 101 of Title 76, unless there is
19 created a duplication in numbering, reads as follows:

20 Any entity or individual that provides access to a safe place in
21 times of severe weather shall not be liable for any civil damages to
22 any person using the safe place during severe weather if the entity
23 or individual was acting in good faith and the damage or injury was
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1 not caused by the willful or wanton negligence or misconduct of the
2 entity or individual.

3 As used in this section:

4 1. "Safe place" means any property, dwelling, shelter, or other
5 structure that can be reasonably considered protection from severe
6 weather; and

7 2. "Severe weather" includes but is not limited to tornadoes,
8 high winds and floods.

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."

13 Passed the Senate the 18th day of April, 2012.

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15 _____
Presiding Officer of the Senate

16 Passed the House of Representatives the ____ day of _____,
17 2012.

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19 Presiding Officer of the House
20 of Representatives

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2 BILL NO. 2419

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7 An Act relating to property; prohibiting certain
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9 prescribed; defining term; providing for
10 codification; and providing an effective date.

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

12 SECTION 3. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 1201 of Title 60, unless there
14 is created a duplication in numbering, reads as follows:

15 An owner of a storm shelter that provides access to his or her
16 storm shelter in times of severe weather shall not be liable for any
17 civil damages to any person using the owner's storm shelter during
18 severe weather if the owner was acting in good faith and the damage
19 or injury was not caused by the willful or wanton negligence or
20 misconduct of the owner. For purposes of the section, "storm
21 shelter" means a structure designed for use only as a storm shelter.

22 SECTION 4. This act shall become effective November 1, 2012.
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1 Passed the House of Representatives the 28th day of February,
2 2012.

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5 Presiding Officer of the House of
6 Representatives

7 Passed the Senate the ____ day of _____, 2012.

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10 Presiding Officer of the Senate

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