

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SENATE BILL 1448

By: Dahm

4
5 AS INTRODUCED

6 An Act relating to the sales of farmed products;
7 creating the Right to Commerce Act; providing short
8 title; providing for the sale of eggs and milk
9 directly to consumers; amending 2 O.S. 2011, Section
10 10-78, which relates to the sale of eggs; removing
11 duplicate language; providing for codification; and
12 providing an effective date.

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

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 21-1 of Title 2, unless there is
16 created a duplication in numbering, reads as follows:

17 This act shall be known and may be cited as the "Right to
18 Commerce Act".

19 SECTION 2. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 21-2 of Title 2, unless there is
21 created a duplication in numbering, reads as follows:

22 Oklahoma producers of cow milk or goat milk selling ungraded cow
23 milk or goat milk from their own herd production are exempt from
24 Sections 7-401 through 7-421 of Title 2 of the Oklahoma Statutes.
Nothing in Title 2 of the Oklahoma Statutes shall prohibit the sale

1 of cow milk or goat milk produced on the farm or property and sold
2 directly to the consumer. Cow milk or goat milk sold under this
3 section shall be produced by cows or goats maintained on the farm or
4 property from which the cow milk or goat milk is sold.

5 SECTION 3. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 21-3 of Title 2, unless there is
7 created a duplication in numbering, reads as follows:

8 Oklahoma producers of eggs selling ungraded eggs from their own
9 flock production are exempt from Sections 10-71 through 10-81 of
10 Title 2 of the Oklahoma Statutes. Nothing in Title 2 of the
11 Oklahoma Statutes shall prohibit the sale of eggs produced on the
12 farm or property and sold directly to the consumer. Eggs sold under
13 this section shall be produced by hens maintained on the farm or
14 property from which the eggs are sold.

15 SECTION 4. AMENDATORY 2 O.S. 2011, Section 10-78, is
16 amended to read as follows:

17 Section 10-78. A. ~~Oklahoma producers of eggs selling ungraded~~
18 ~~eggs from their own flock production are exempt from this~~
19 ~~subarticle. Nothing in this subarticle shall prohibit the sale of~~
20 ~~eggs produced on the farm and sold direct to the consumer. Eggs~~
21 ~~sold under this section shall be produced by hens maintained on the~~
22 ~~farm from which the eggs are sold.~~

23 B. A producer may sell graded eggs if in compliance with this
24 subarticle.

1 SECTION 5. This act shall become effective November 1, 2016.

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