

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

SENATE BILL 1836

By: Daniels

AS INTRODUCED

An Act relating to civil procedure; establishing requirements for standing to maintain a cause of action; prohibiting cause of action for general public grievance; placing burden to show standing on person asserting cause of action; 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 2001.1 of Title 12, unless there is created a duplication in numbering, reads as follows:

A. No person asserting a cause of action in a court of this state shall have standing to maintain a cause of action unless he or she can demonstrate:

1. A concrete and particularized injury-in-fact that is not conjectural or hypothetical in nature;

2. The injury is fairly traceable to the actions that are the subject of the suit; and

3. The injury will be redressed by a favorable decision of the court.

1 B. No person may assert a cause of action in a court of this  
2 state based on a general grievance of the public at large or to  
3 vindicate the rights of other individuals, but rather must  
4 demonstrate an injury that is personal to the party asserting the  
5 cause of action.

6 C. The person invoking the jurisdiction of a court over a cause  
7 of action shall carry the burden to establish proper standing to  
8 maintain such cause of action and shall maintain such standing  
9 throughout the proceedings of the court.

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

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