

1 ENGROSSED HOUSE AMENDMENT  
2 TO  
3 ENGROSSED SENATE BILL NO. 939 By: Taylor, Montgomery,  
4 Bullard, David, Stanley,  
5 Pederson and Murdock of the  
6 Senate  
7  
8 and  
9  
10 Pfeiffer of the House  
11  
12

13 An Act relating to nuisances; amending 50 O.S. 2011,  
14 Section 16, which relates to the power to define and  
15 summarily abate nuisances; prohibiting certain  
16 sectors from nuisance claims under certain  
17 circumstances; providing definition; updating  
18 statutory language; and providing an effective date.

19 AUTHORS: Add the following House Coauthors: McBride, West (Tammy),  
20 Hilbert, Caldwell (Trey), Phillips and Roberts (Dustin)

21 AMENDMENT NO. 1. Page 2, Line 2, after the word "guidelines" delete  
22 "or" and insert a ","

23 and after the word "laws" and before the word  
24 "applicable" insert "and municipal ordinances or  
laws"

and amend title to conform

1 Passed the House of Representatives the 21st day of April, 2021.

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4 Presiding Officer of the House of  
Representatives  
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6 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2021.

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9 Presiding Officer of the Senate  
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1 ENGROSSED SENATE  
2 BILL NO. 939

By: Taylor, Montgomery,  
Bullard, David, Stanley,  
Pederson and Murdock of the  
Senate

4 and

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6  
7 An Act relating to nuisances; amending 50 O.S. 2011,  
8 Section 16, which relates to the power to define and  
9 summarily abate nuisances; prohibiting certain  
10 sectors from nuisance claims under certain  
11 circumstances; providing definition; updating  
12 statutory language; and providing an effective date.

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

13 SECTION 1. AMENDATORY 50 O.S. 2011, Section 16, is  
14 amended to read as follows:

15 Section 16. A. Cities and towns in this state shall have the  
16 right and power to determine what is and what shall constitute a  
17 nuisance within their respective corporate limits, and for the  
18 protection of the public health, the public parks and the public  
19 water supply, shall have such power outside of the corporate limits;  
20 and wherever it is practical so to do, ~~said~~ the cities and towns  
21 shall have the power summarily to abate any such nuisance after  
22 notice to the owner, and an opportunity for him to be heard, if this  
23 can be given. Any action conducted by critical infrastructure  
24 sectors shall not constitute a nuisance when the applicable industry

1 acts in compliance with or acts consistently with government rules,  
2 guidelines or laws applicable to their sector.

3 B. For purposes of this section, "critical infrastructure  
4 sectors" means any of the critical infrastructure sectors identified  
5 by the Cybersecurity and Infrastructure Security Agency (CISA) whose  
6 assets, systems and networks, whether physical or virtual, are  
7 considered so vital to the United States and the state that the  
8 sectors' incapacitation or destruction would have a debilitating  
9 effect on security, economic security, public health or safety or  
10 any combination thereof.

11 SECTION 2. This act shall become effective November 1, 2021.

12 Passed the Senate the 10th day of March, 2021.

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14 \_\_\_\_\_  
15 Presiding Officer of the Senate

16 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
17 2021.

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20 Presiding Officer of the House  
21 of Representatives  
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