

1 ENGROSSED SENATE
2 BILL NO. 939

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

4 and

5 Pfeiffer of the House

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
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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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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