

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               1st Session of the 58th Legislature (2021)

4   ENGROSSED SENATE  
5   BILL NO. 939

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

7   and

8   Pfeiffer, **McBride** and **West**  
                              **(Tammy)** of the House

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

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

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

20           Section 16.   A.   Cities and towns in this state shall have the  
21           right and power to determine what is and what shall constitute a  
22           nuisance within their respective corporate limits, and for the  
23           protection of the public health, the public parks and the public  
24           water supply, shall have such power outside of the corporate limits;  
          and wherever it is practical so to do, ~~said~~ the cities and towns

1 shall have the power summarily to abate any such nuisance after  
2 notice to the owner, and an opportunity for him to be heard, if this  
3 can be given. Any action conducted by critical infrastructure  
4 sectors shall not constitute a nuisance when the applicable industry  
5 acts in compliance with or acts consistently with government rules,  
6 guidelines or laws applicable to their sector.

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

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

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17 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 03/30/2021 - DO PASS,  
18 As Coauthored.  
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