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February 9, 2021

SENATE BILL NO. 939

By: Taylor, **Montgomery** and
Bullard of the Senate

and

Pfeiffer of the House

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

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

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

Section 16. A. Cities and towns in this state shall have the right and power to determine what is and what shall constitute a nuisance within their respective corporate limits, and for the protection of the public health, the public parks and the public water supply, shall have such power outside of the corporate limits; and wherever it is practical so to do, ~~said~~ the cities and towns shall have the power summarily to abate any such nuisance after notice to the owner, and an opportunity for him to be heard, if this can be given. Any action conducted by critical infrastructure

1 sectors shall not constitute a nuisance when the applicable industry
2 acts in compliance with or acts consistently with government rules,
3 guidelines or laws applicable to their sector.

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

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

12 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
13 February 9, 2021 - DO PASS
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