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April 24, 2025

COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
HOUSE BILL NO. 2622

By: Harris of the House

and

Gollihare of the Senate

An Act relating to nuisances; amending 50 O.S. 2021, Sections 2, 8, 10, and 21, which relate to public nuisances, remedies, and civil action; prohibiting certain acts from being deemed public nuisance; clarifying applicable remedies in certain civil actions; requiring certain determination for liability in certain action; requiring determination of proximate cause for maintenance of certain action; specifying certain unlawful acts as public nuisance; and providing an effective date.

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

SECTION 1. AMENDATORY 50 O.S. 2021, Section 2, is amended to read as follows:

Section 2. A public nuisance is one which affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon the individuals may be unequal. The manufacturing, marketing, and selling of lawful products shall not be deemed a public nuisance.

1       SECTION 2.       AMENDATORY       50 O.S. 2021, Section 8, is  
2 amended to read as follows:

3       Section 8. A. The remedies against a public nuisance are:

4       1. Indictment or information,~~or~~;

5       2. A civil action,~~or~~ seeking injunctive or other equitable  
6 relief; or

7       3. Abatement~~+~~.

8       B. To be found liable in an action for public nuisance, the  
9 defendant in such an action must be determined by the court to have  
10 been in control of the conditions giving rise to the nuisance at the  
11 time of injury.

12       SECTION 3.       AMENDATORY       50 O.S. 2021, Section 10, is  
13 amended to read as follows:

14       Section 10. A private person may maintain an action for a  
15 public nuisance if ~~it~~ the court determines by clear and convincing  
16 evidence that the nuisance is specially injurious the proximate  
17 cause of special injury to himself the private person, but not  
18 otherwise.

19       SECTION 4.       AMENDATORY       50 O.S. 2021, Section 21, is  
20 amended to read as follows:

21       Section 21. The repeated use of any real property or structure  
22 thereon to commit unlawful drug distribution, prostitution, human  
23 trafficking, or sex trafficking acts ~~which result in a felony~~

24

1 ~~conviction under the Oklahoma Uniform Controlled Dangerous~~  
2 ~~Substances Act may~~ shall constitute a public nuisance.

3 SECTION 5. This act shall become effective November 1, 2025.

4 COMMITTEE REPORT BY: COMMITTEE ON RULES  
5 April 24, 2025 - DO PASS AS AMENDED BY CS  
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