

1 **SENATE FLOOR VERSION**

2 February 5, 2026

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 1439

By: Daniels of the Senate

and

Moore and Archer of the
House

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10 An Act relating to oil and gas; creating the Energy
11 Security and Independence Act; providing short title;
12 providing legislative purpose; defining terms;
13 prohibiting covered civil liability actions;
14 construing provisions; providing for codification;
15 and providing an effective date.

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

17 SECTION 1. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 46.5 of Title 52, unless there
19 is created a duplication in numbering, reads as follows:

20 A. This act shall be known and may be cited as the "Energy
21 Security and Independence Act".

22 B. The purposes of this act are:

23 1. To prohibit causes of action against those who lawfully
24 produce, manufacture, or sell fossil fuels and their trade

1 associations, when this highly regulated product functions as
2 designed and intended;

3 2. To preserve lawful access to affordable, clean, and reliable
4 fossil fuels that increase the productive capacity of this state and
5 thereby bolster economic growth and its downstream benefits
6 including, but not limited to, a tax base, jobs, and increased
7 worker access to health care and housing; and

8 3. To prevent the use of lawsuits that seek the imposition of
9 unreasonable burdens on the commerce of fossil fuels.

10 C. As used in this section:

11 1. "Covered civil liability action" means any civil action or
12 proceeding, including any administrative proceeding, brought against
13 a manufacturer, producer, processor, fractionator, refiner, storage
14 operator, pipeline operator, transporter, or seller of covered
15 product for legal or equitable relief of any kind arising out of or
16 resulting from the production, manufacture, processing,
17 fractionation, refinement, storage, transportation, marketing, sale,
18 or use of covered product and such action or proceeding arises out
19 of or relates to, or seeks relief of any kind arising out of or
20 relating to, climate change, the alleged effects of climate change,
21 or greenhouse emissions. Covered civil liability action includes,
22 but is not limited to, any cause of action for fraud,
23 misrepresentation, deception, or failure to warn, whether statutory
24 or at common law, that purports to seek relief for climate change,

1 the alleged effects of climate change, or greenhouse emissions.

2 Covered civil liability action shall not include an action,
3 proceeding, or administrative proceeding brought for unlawful acts
4 arising out of:

5 a. a violation of federal or state environmental law or
6 regulation establishing a standard or operational
7 practice governing the emission, discharge, or storage
8 of covered product, or

9 b. a violation of federal or state worker protection
10 laws;

11 2. "Covered product" means a fossil fuel or fossil fuels;

12 3. "Engaged in the business" means any party that produces,
13 manufactures, transports, sells, or is otherwise involved in
14 intrastate, interstate, or foreign commerce of covered product and
15 any party that devotes time, attention, or labor to the production,
16 manufacture, transportation, or sale of covered product as a regular
17 course of trade or business with the principal objective of
18 livelihood or profit;

19 4. "Fossil fuel" or "fossil fuels" means natural gas, oil,
20 coal, liquefied petroleum gas, natural gas liquids, refined
21 products, and any product derived from such material;

22 5. "Manufacturer" means any person or entity that is engaged in
23 the business of manufacturing covered product, including any person
24 or entity that produces, processes, fractionates, refines, stores,

1 or transports covered product for its lawful use and sale for
2 profit;

3 6. "Person" means any individual, corporation, company,
4 association, firm, partnership, society, joint stock company, or any
5 other entity, including governmental entities;

6 7. "Producer" means any person or entity that is engaged in the
7 business of exploration, production, or transportation of covered
8 product or any of its constituent portions for its lawful use and
9 sale for profit;

10 8. "Seller" means any importer, exporter, dealer, wholesaler,
11 or retailer that is engaged in the business of selling covered
12 product for profit;

13 9. "Trade association" means any corporation, unincorporated
14 association, federation, business league, or professional or
15 business organization not organized or operated for profit and no
16 part of the net earnings of which inure to the benefit of any
17 private shareholder or individual; and

18 10. "Transporter" means any person or entity that is engaged in
19 the business of transporting, transferring, conveying, or moving
20 covered product or any of its constituent portions for its lawful
21 use and sale for profit.

22 D. 1. A covered civil liability action may not be brought in
23 any court in this state.

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1 2. No provision of this section shall be construed to create a
2 public or private cause of action or remedy.

3 SECTION 2. This act shall become effective November 1, 2026.

4 COMMITTEE REPORT BY: COMMITTEE ON ENERGY
5 February 5, 2026 - DO PASS AS AMENDED BY CS

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