

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 SENATE BILL 1439

By: Daniels

6 AS INTRODUCED

7 An Act relating to oil and gas; creating the Energy
8 Security and Independence Act; providing short title;
9 providing legislative purpose; defining terms;
prohibiting covered civil liability actions;
construing provisions; providing for codification;
and providing an effective date.

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

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

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

18 B. The purposes of this act are:

19 1. To prohibit causes of action against those who lawfully
20 produce, manufacture, and sell fossil fuels and their trade
21 associations, when this highly regulated product functions as
22 designed and intended;

23 2. To preserve lawful access to affordable, clean, and reliable
24 fossil fuels which increase the productive capacity of this state

and thereby bolster economic growth and its downstream benefits including, but not limited to, a tax base, jobs, and increased worker access to health care and housing; and

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

C. As used in this section:

1. "Covered civil liability action" means any civil action or proceeding, including any administrative proceeding, brought by a person or trade association against a manufacturer, producer, transporter, or seller of covered product for legal or equitable relief of any kind arising out of or resulting from the production, manufacture, transportation, marketing, sale, or use of covered product and such action or proceeding arises out of or relates to, or seeks relief of any kind arising out of or relating to, climate change, the alleged effects of climate change, or greenhouse emissions. Covered civil liability action includes, but is not limited to, any cause of action for fraud, misrepresentation, deception, or failure to warn, whether statutory or at common law, which purports to seek relief for climate change, the alleged effects of climate change, or greenhouse emissions. Covered civil liability action shall not include an action, proceeding, or administrative proceeding brought for unlawful acts arising out of:

- a. a violation of federal or state environmental law or regulation establishing a standard or operational

1 practice governing the emission, discharge, or storage
2 of covered product, or

3 b. a violation of federal or state worker protection
4 laws;

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

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

13 4. "Fossil fuel" or "fossil fuels" means natural gas, oil,
14 coal, liquefied petroleum gas, and any product derived from such
15 material;

16 5. "Manufacturer" means any person or entity that is engaged in
17 the business of manufacturing covered product, including any person
18 or entity that refines and transports covered product for its lawful
19 use and sale for profit;

20 6. "Person" means any individual, corporation, company,
21 association, firm, partnership, society, joint stock company, or any
22 other entity, including governmental entities;

23 7. "Producer" means any person or entity that is engaged in the
24 business of exploration, production, or transportation of covered

1 product or any of its constituent portions for its lawful use and
2 sale for profit;

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

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

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

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

17 2. A covered civil liability action that is pending on the
18 effective date of this act shall be immediately dismissed by the
19 court in which the action was brought or is currently pending.

20 3. No provision of this act shall be construed to create a
21 public or private cause of action or remedy.

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

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