

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3322

By: Osburn

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5
6 AS INTRODUCED

7 An Act relating to statutes and reports; amending 75
8 O.S. 2021, Section 11a, which relates to statutory
9 interpretation; providing for construction of certain
10 amendatory enactments; stating legislative intent;
11 creating presumption; and providing an effective
12 date.

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

13 SECTION 1. AMENDATORY 75 O.S. 2021, Section 11a, is
14 amended to read as follows:

15 Section 11a. In the construction of the statutes of this state,
16 the following rules shall be observed:

17 1. For any act enacted on or after July 1, 1989, unless there
18 is a provision in the act that the act or any portion thereof or the
19 application of the act shall not be severable, the provisions of
20 every act or application of the act shall be severable. If any
21 provision or application of the act is found to be unconstitutional
22 and void, the remaining provisions or applications of the act shall
23 remain valid, unless the court finds:
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- 1 a. the valid provisions or application of the act are so
2 essentially and inseparably connected with, and so
3 dependent upon, the void provisions that the court
4 cannot presume the Legislature would have enacted the
5 remaining valid provisions without the void one; or
6 b. the remaining valid provisions or applications of the
7 act, standing alone, are incomplete and are incapable
8 of being executed in accordance with the legislative
9 intent.

10 2. For acts enacted prior to July 1, 1989, whether or not such
11 acts were enacted with an express provision for severability, it is
12 the intent of the Oklahoma Legislature that the act or any portion
13 of the act or application of the act shall be severable unless:

- 14 a. the construction of the provisions or application of
15 the act would be inconsistent with the manifest intent
16 of the Legislature;
17 b. the court finds the valid provisions of the act are so
18 essentially and inseparably connected with and so
19 dependent upon the void provisions that the court
20 cannot presume the Legislature would have enacted the
21 remaining valid provisions without the void one; or
22 c. the court finds the remaining valid provisions
23 standing alone, are incomplete and are incapable of
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1 being executed in accordance with the legislative
2 intent.

3 3. When acts amend the same statute or statutes, whether in the
4 same or different sessions of the Legislature, creating multiple
5 versions of the same statute or statutes it is the intent of the
6 Oklahoma Legislature that:

- 7 a. when possible, the acts are to be construed together
8 to determine the intent of the Legislature,
9 reconciling provisions, rendering them consistent and
10 giving intelligent effect to each act;
- 11 b. repeal by implication is disfavored;
- 12 c. language in amendatory measures that is neither
13 underlined nor stricken through is not intended to
14 change the statute but is only reproduced to provide
15 context and placement to the amendatory language;
- 16 d. acts which do not purport by citation to amend the
17 other version or versions of the same statute are
18 presumed to be reconcilable and not to conflict or
19 contravene one another; and
- 20 e. if the same section of law has been amended in two or
21 more measures and as a result of the enactment of
22 those measures the official statutes of the State of
23 Oklahoma contain two or more versions of the same
24 section of law, if it is possible to determine the

1 exact date and time as of which each measure was
2 enacted as law, there shall be a presumption that the
3 measure enacted latest in time contains the
4 Legislature's intent if there is a conflict between or
5 among the versions which cannot be avoided by
6 construing both or all versions of the statute
7 together. As used in this subparagraph "enacted as
8 law" shall mean the date, hour and minute the measure
9 was signed by the Governor.

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

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