

1 **SENATE FLOOR VERSION**

2 April 24, 2025

3 COMMITTEE SUBSTITUTE
FOR ENGROSSED
4 HOUSE BILL NO. 2622

By: Harris of the House

5 and

6 Gollihare of the Senate

7

8

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

19

20

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

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

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

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~~

1 ~~e~~onviction under the Oklahoma Uniform Controlled Dangerous
2 ~~S~~ubstances 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

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24