| 1 | HOUSE OF REPRESENTATIVES - FLOOR VERSION |
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| 2 | STATE OF OKLAHOMA |
| 3 | 2nd Session of the 58th Legislature (2022) |
| 4 | HOUSE BILL 2979 By: West (Rick) of the House |
| 5 | and |
| 6 | Burns of the Senate |
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| 9 | AS INTRODUCED |
| 10 | An Act relating to agriculture; enacting the Oklahoma |
| 11 | Right to Garden Act of 2022; defining terms; providing that county, municipal and other political |
| 12 | subdivisions of the state may not regulate vegetable gardens on residential properties; providing that |
| 13 | ordinance or regulation that regulates vegetable gardens is void and unenforceable; providing |
| 14 | exceptions; providing for codification; and providing an effective date. |
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| 17 | BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA: |
| 18 | SECTION 1. NEW LAW A new section of law to be codified |
| 19 | in the Oklahoma Statutes as Section 3031 of Title 2, unless there is |
| 20 | created a duplication in numbering, reads as follows: |
| 21 | This act shall be known and may be cited as the "Oklahoma Right |
| 22 | to Garden Act of 2022". |
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SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3032 of Title 2, unless there is created a duplication in numbering, reads as follows:

As used in this act:

- 1. "Vegetable garden" means a piece of property wholly located within a person's residential property that is used to grow produce, flowers, herbs, fungi, or grains for one's own consumption and enjoyment and not for resale or distribution; and
- 2. "Residential property" means real property on which there is a dwelling unit with accommodations for four or fewer separate households and is further limited to the primary residence of a person.
- SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3033 of Title 2, unless there is created a duplication in numbering, reads as follows:
- Except as otherwise provided by law, a county, municipality, or other political subdivision of this state may not regulate vegetable gardens on residential properties. Any such local ordinance or regulation regulating vegetable gardens on residential properties is void and unenforceable.
- 21 This section does not preclude the adoption of a local ordinance 22 or regulation of a general nature that does not specifically 23 regulate vegetable gardens, including, but not limited to,

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| 1 | regulations and ordinances relating to water use during drought |
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| 2 | conditions, fertilizer use, or control of invasive species. |
| 3 | SECTION 4. This act shall become effective November 1, 2022. |
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| 5 | COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE AND RURAL DEVELOPMENT, |
| 6 | dated 02/17/2022 - DO PASS, As Coauthored. |
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HB2979 HFLR BOLD FACE denotes Committee Amendments.