

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 HOUSE BILL 2979

By: West (Rick)

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5
6 AS INTRODUCED

7 An Act relating to agriculture; enacting the Oklahoma
8 Right to Garden Act of 2022; defining terms;
9 providing that county, municipal and other political
10 subdivisions of the state may not regulate vegetable
11 gardens on residential properties; providing that
12 ordinance or regulation that regulates vegetable
13 gardens is void and unenforceable; providing
14 exceptions; providing for codification; and providing
15 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 3031 of Title 2, unless there is
19 created a duplication in numbering, reads as follows:

20 This act shall be known and may be cited as the "Oklahoma Right
21 to Garden Act of 2022".

22 SECTION 2. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 3032 of Title 2, unless there is
24 created a duplication in numbering, reads as follows:

As used in this act:

1 1. "Vegetable garden" means a piece of property wholly located
2 within a person's residential property that is used to grow produce,
3 flowers, herbs, fungi, or grains for one's own consumption and
4 enjoyment and not for resale or distribution; and

5 2. "Residential property" means real property on which there is
6 a dwelling unit with accommodations for four or fewer separate
7 households and is further limited to the primary residence of a
8 person.

9 SECTION 3. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 3033 of Title 2, unless there is
11 created a duplication in numbering, reads as follows:

12 Except as otherwise provided by law, a county, municipality, or
13 other political subdivision of this state may not regulate vegetable
14 gardens on residential properties. Any such local ordinance or
15 regulation regulating vegetable gardens on residential properties is
16 void and unenforceable.

17 This section does not preclude the adoption of a local ordinance
18 or regulation of a general nature that does not specifically
19 regulate vegetable gardens, including, but not limited to,
20 regulations and ordinances relating to water use during drought
21 conditions, fertilizer use, or control of invasive species.

22 SECTION 4. This act shall become effective November 1, 2022.

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24 58-2-8538 JL 11/15/21