

**COMMITTEE AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1008 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Adopted: \_\_\_\_\_

Amendment submitted by: Rick West

\_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 PROPOSED COMMITTEE  
4 SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 1008

By: West (Rick)

7 PROPOSED COMMITTEE SUBSTITUTE

8 An Act relating to agriculture; enacting the Oklahoma  
9 Right to Garden Act of 2023; defining terms;  
10 providing the right to grow vegetables in a vegetable  
11 garden for personal consumption; providing that a  
12 municipality, city, or town may enact certain  
13 content-neutral ordinances regulating vegetable  
14 gardens; providing for codification; and providing an  
15 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 2023".

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

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

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        A. It shall be the right of citizens of the State of Oklahoma  
13 to engage in growing their own vegetables in a vegetable garden on  
14 their personal property for personal consumption, subject to  
15 restrictions rationally related to a governmental purpose.

16        B. Notwithstanding, this section shall not prohibit any  
17 municipality, city, or town from enacting content-neutral ordinances  
18 or regulations that address the following:

19        1. Limiting the size and proximity of gardens to roadways,  
20 structures, or other locations that impact health and safety; or

21        2. The enforcement of constitutional and lawful ordinances  
22 adopted by municipalities that are in conformity with general powers  
23 of municipal governments within this state that are of a general  
24 nature that do not specifically ban gardening, including, but not

1 limited to, regulations and ordinances relating to water usage  
2 during drought conditions, fertilizer use, or control of invasive  
3 species.

4 SECTION 4. This act shall become effective November 1, 2023.

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6 59-1-7132 JL 02/02/23

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