

1 **SENATE FLOOR VERSION**

2 April 6, 2023

3 ENGROSSED HOUSE  
4 BILL NO. 2561

By: McBride and O'Donnell of  
the House

5 and

6 Montgomery of the Senate

7  
8  
9 An Act relating to consumer protection; amending 15  
10 O.S. 2021, Section 777.4, which relates to the  
11 Emergency Price Stabilization Act exceptions;  
12 modifying description of certain markets; adding  
13 natural gas to exemptions; and declaring an  
14 emergency.

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

16 SECTION 1. AMENDATORY 15 O.S. 2021, Section 777.4, is  
17 amended to read as follows:

18 Section 777.4 A. No person for the duration of a declaration  
19 of emergency by the Governor of this state or by the President of  
20 the United States and for thirty (30) days thereafter shall sell,  
21 rent, or lease, or offer to sell, rent, or lease, for delivery in  
22 the emergency area, any goods, services, dwelling units, or storage  
23 space in the emergency area at a rate or price which is more than  
24 ten percent (10%) above the rate or price charged by the person for  
the same or similar goods, services, dwelling units, or storage

1 spaces immediately prior to the declaration of emergency unless the  
2 increase in the rate or price is attributable:

3 1. To price increases in ~~applicable regional, national, or~~  
4 ~~international~~ petroleum and natural gas commodity markets; or

5 2. Only to factors unrelated to the emergency and does not  
6 include any increase in profit to the seller or owner.

7 B. Upon the expiration of the period described in subsection A  
8 of this section and for one hundred eighty (180) days thereafter, no  
9 person shall, within the emergency area, rent or lease or offer to  
10 rent or lease any dwelling unit or storage space or sell or offer to  
11 sell goods for use within the emergency area to repair, restore,  
12 remodel, or construct any dwelling unit for a price of more than ten  
13 percent (10%) above the price charged by that person for the  
14 dwelling unit, storage space, or goods immediately prior to the  
15 declaration of emergency unless the increase in the price is  
16 attributable to:

17 1. Price increases in ~~applicable regional, national, or~~  
18 ~~international~~ petroleum and natural gas commodity markets; or

19 2. Factors unrelated to the emergency and does not include any  
20 increase in profit to the seller or owner.

21 C. A rate or price increase approved by the appropriate  
22 governmental agency is not a violation of this act.

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1 D. This section shall not apply to growers, producers, or  
2 processors of raw or processed food products, except for retail  
3 sales of such products to a consumer.

4 E. This section shall not apply to sales, rentals, or leases of  
5 goods from a catalog when the catalog is made available in the  
6 normal course of business both prior to and after the declaration of  
7 emergency to all persons regardless of location in the emergency  
8 area.

9 F. This section shall not apply to advertised rates and prices  
10 which are subject to a published expiration date within or  
11 immediately prior to the declaration of emergency.

12 SECTION 2. It being immediately necessary for the preservation  
13 of the public peace, health or safety, an emergency is hereby  
14 declared to exist, by reason whereof this act shall take effect and  
15 be in full force from and after its passage and approval.

16 COMMITTEE REPORT BY: COMMITTEE ON ENERGY AND TELECOMMUNICATIONS  
17 April 6, 2023 - DO PASS  
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