

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1008

By: West (Rick)

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5
6 AS INTRODUCED

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8 An Act relating to agriculture; enacting the Oklahoma
9 Right to Garden Act of 2023; defining terms;
10 providing that county, municipal and other political
11 subdivisions of the state may not regulate vegetable
12 gardens on residential properties; providing that
13 ordinance or regulation that regulates vegetable
14 gardens is void and unenforceable; providing
15 exceptions; providing for codification; and providing
16 an effective date..

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 2023".

23 SECTION 2. NEW LAW A new section of law to be codified
24 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,

1 flowers, herbs, fungi, or grains for one's own consumption and
2 enjoyment and not for resale or distribution; and

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

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

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

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

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

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22 59-1-5211 JL 11/10/22

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