

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 1189

By: West (Rick)

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6 AS INTRODUCED

7 An Act relating to agriculture; enacting the Oklahoma
8 Right to Garden Act of 2025; defining terms;
9 providing the right to grow vegetables in a vegetable
10 garden for personal consumption; providing that a
11 municipality, city, or town may enact certain
12 content-neutral ordinances regulating vegetable
13 gardens; providing for codification; and providing an
14 effective date.

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

16 SECTION 1. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 3031 of Title 2, unless there is
18 created a duplication in numbering, reads as follows:

19 This act shall be known and may be cited as the "Oklahoma Right
20 to Garden Act of 2025".

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

24 As used in this act:

1. "Residential property" means real property on which there is
a dwelling unit with accommodations for four or fewer separate

1 households and is further limited to the primary residence of a
2 person; and

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

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

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

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

19 2. The enforcement of constitutional and lawful ordinances
20 adopted by municipalities that are in conformity with general powers
21 of municipal governments within this state that are of a general
22 nature that do not specifically ban gardening, including, but not
23 limited to, regulations and ordinances relating to water usage
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1 during drought conditions, fertilizer use, or control of invasive
2 species.

3 SECTION 4. This act shall become effective November 1, 2025.

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5 60-1-10419 JL 12/03/24

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