

An Act

ENROLLED HOUSE
BILL NO. 2561

By: McBride and O'Donnell of
the House

and

Montgomery of the Senate

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

SUBJECT: Consumer protection

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

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

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

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

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

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

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

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

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

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

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

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

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

Passed the House of Representatives the 6th day of March, 2023.

Presiding Officer of the House
of Representatives

Passed the Senate the 26th day of April, 2023.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____
day of _____, 20_____, at _____ o'clock _____ M.
By: _____

Approved by the Governor of the State of Oklahoma this _____
day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____
day of _____, 20_____, at _____ o'clock _____ M.
By: _____