

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 59th Legislature (2023)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2561

By: McBride and O'Donnell of
the House

and

Montgomery of the Senate

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10 COMMITTEE SUBSTITUTE

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

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

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

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

1 ten percent (10%) above the rate or price charged by the person for
2 the same or similar goods, services, dwelling units, or storage
3 spaces immediately prior to the declaration of emergency unless the
4 increase in the rate or price is attributable:

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

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

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

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

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

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

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.

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17 COMMITTEE REPORT BY: COMMITTEE ON ENERGY AND NATURAL RESOURCES,
18 dated 02/23/2023 - DO PASS, As Amended and Coauthored.

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