

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL NO. 561

By: Dahm

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5  
6 AS INTRODUCED

7 An Act relating to the sales of farmed products;  
8 creating the Right to Commerce Act; providing short  
9 title; providing for the sale of eggs and milk  
10 directly to consumers; amending 2 O.S. 2011, Section  
11 10-78, which relates to the sale of eggs; removing  
12 duplicate language; providing for codification; and  
13 providing an effective date.

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

15 SECTION 1. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 21-1 of Title 2, unless there is  
17 created a duplication in numbering, reads as follows:

18 This act shall be known and may be cited as the "Right to  
19 Commerce Act".

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

23 Oklahoma producers of cow milk or goat milk selling ungraded cow  
24 milk or goat milk from their own herd production are exempt from  
Sections 7-401 through 7-421 of Title 2 of the Oklahoma Statutes.

1 Nothing in Title 2 of the Oklahoma Statutes shall prohibit the sale  
2 of cow milk or goat milk produced on the farm or property and sold  
3 directly to consumers in this state. Cow milk or goat milk sold  
4 under this section shall be produced by cows or goats maintained on  
5 the farm or property from which the cow milk or goat milk is sold.

6 SECTION 3. NEW LAW A new section of law to be codified  
7 in the Oklahoma Statutes as Section 21-3 of Title 2, unless there is  
8 created a duplication in numbering, reads as follows:

9 Oklahoma producers of eggs selling ungraded eggs from their own  
10 flock production are exempt from Sections 10-71 through 10-81 of  
11 Title 2 of the Oklahoma Statutes. Nothing in Title 2 of the  
12 Oklahoma Statutes shall prohibit the sale of eggs produced on the  
13 farm or property and sold directly to consumers in this state. Eggs  
14 sold under this section shall be produced by hens maintained on the  
15 farm or property from which the eggs are sold.

16 SECTION 4. AMENDATORY 2 O.S. 2011, Section 10-78, is  
17 amended to read as follows:

18 ~~Section 10-78. A. Oklahoma producers of eggs selling ungraded~~  
19 ~~eggs from their own flock production are exempt from this~~  
20 ~~subarticle. Nothing in this subarticle shall prohibit the sale of~~  
21 ~~eggs produced on the farm and sold direct to the consumer. Eggs~~  
22 ~~sold under this section shall be produced by hens maintained on the~~  
23 ~~farm from which the eggs are sold.~~

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1       ~~B.~~ A producer may sell graded eggs if in compliance with this  
2 subarticle title.

3       SECTION 5. This act shall become effective November 1, 2019.  
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