

# An Act

ENROLLED HOUSE  
BILL NO. 2419

By: Enns, Proctor, Dorman,  
Kern, Hickman, Roberts  
(Sean) and Nollan of the  
House

and

Johnson (Rob) and Shortey  
of the Senate

An Act relating to tort liability; prohibiting certain liability during severe weather; defining terms; providing for codification; and declaring an emergency.

SUBJECT: Tort liability relating to storm shelters

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 101 of Title 76, unless there is created a duplication in numbering, reads as follows:

Any entity or individual that provides access to a safe place in times of severe weather shall not be liable for any civil damages to any person using the safe place during severe weather if the entity or individual was acting in good faith and the damage or injury was not caused by the willful or wanton negligence or misconduct of the entity or individual.

As used in this section:

1. "Safe place" means any property, dwelling, shelter or other structure that can be reasonably considered protection from severe weather; and

2. "Severe weather" includes but is not limited to tornadoes, high winds and floods.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and 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 1st day of May, 2012.

*Joe R. Donney*

Presiding Officer of the House of Representatives

Passed the Senate the 18th day of April, 2012.

*Jan Maxwell*

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Governor this 2<sup>nd</sup>  
day of May, 20 12,  
at 4:30 o'clock P.M.

By: Jamie R. Beggs

Approved by the Governor of the State of Oklahoma the 4<sup>th</sup> day of  
May, 20 12, at 10:50 o'clock A.M.

*Mary Fallin*  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this  
4<sup>th</sup> day of May, 20 12,  
at 1:47 o'clock P.M.

By: Michelle R. Day