

ENGROSSED SENATE
BILL NO. 649

BY: ROBERTS of the SENATE

and

SADLER of the HOUSE

AN ACT RELATING TO FLOODPLAIN MANAGEMENT AND DAM
SAFETY; ENABLING CITIES AND TOWNS TO IMPLEMENT
FLOODPLAIN REGULATIONS BELOW DAMS IN CERTAIN AREAS;
PROVIDING FOR CODIFICATION; AND DECLARING AN
EMERGENCY.

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 37-128 of Title 11, unless there
is created a duplication in numbering, reads as follows:

Municipalities that own or operate dams for water supply in
unincorporated areas of counties whose county commissioners have not
established floodplain boards may regulate development downstream of
the dam to maintain a low hazard potential classification of the dam
as determined by the Oklahoma Water Resources Board. Such
regulation shall be limited to prohibiting the construction or
maintenance of habitable structures in locations which, in event of
the failure of the dam during the peak inflow of the design flood,
would place human life in danger. Such regulation shall also be
subject to the provisions of Section 37-105 of Title 11 of the
Oklahoma Statutes.

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 Senate the 24th day of February, 1992.

President of the Senate

Passed the House of Representatives the ____ day of _____, 1992.

Speaker of the House of Representatives