

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

HOUSE BILL NO. 2104

By: Beutler

AS INTRODUCED

An Act relating to cities and towns; amending 11 O.S. 1991, Section 37-119, which relates to contracts for water; modifying requirements of provisions in certain contracts; requiring parties to contracts to agree to certain rationing program; and providing an effective date.

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

SECTION 1. AMENDATORY 11 O.S. 1991, Section 37-119, is amended to read as follows:

Section 37-119. A. All contracts for the sale or furnishing of water from a source obtained by or on behalf of a municipality by permit or prior right under state law or by general obligation bonds shall be made in the name of the municipality as provided for by statute or by charter.

B. All such water sold and furnished to persons or public or private entities outside the corporate limits of the municipality shall be sold and furnished upon written contracts ~~expressly stating that the contract may be abrogated by the municipality at any time the governing body thereof, or the board or commission shall declare by resolution that the water being furnished pursuant to the~~

~~contract is required by the municipality for its own use and the use of its inhabitants.~~

~~The provisions of this section pertaining to abrogation of contracts may be waived upon express written agreement of the contracting parties. Such contracts shall provide that the persons or public or private entities outside the corporate limits of the municipality shall agree to implement a rationing program consistent with any rationing program ordered by the municipality.~~

SECTION 2. This act shall become effective September 1, 1994.

44-2-8555

KSM