

ENGROSSED SENATE  
BILL NO. 883

By: Shurden of the Senate

and

Leist of the House

[ environment and natural resources - complaints -  
overcharges - codification -  
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 1-1-207 of Title 27A, unless there is created a duplication in numbering, reads as follows:

Environmental complaints arising within the jurisdiction of a political subdivision with appropriate enforcement powers shall first be referred to that political subdivision for corrective action. If a political subdivision chooses to refer an unresolved environmental complaint to a state environmental agency, it shall provide a written explanation of the reasons it was unable to resolve the problem. The explanations and identity of the political subdivision shall be available to the public under the Open Records Act.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-1-208 of Title 27A, unless there is created a duplication in numbering, reads as follows:

No person shall set or raise rates for environmental services and knowingly misrepresent the amount of fees authorized by law. Anyone who violates this provision shall be subject to an

administrative penalty not to exceed One Thousand Dollars (\$1,000.00) and shall reimburse all persons who were overcharged.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-3-507 of Title 27A, unless there is created a duplication in numbering, reads as follows:

Political subdivisions may, when compliance with environmental standards would create excessive debt, enter into compliance schedules with the Department of Environmental Quality to prioritize compliance based on their greatest environmental or other public health and safety needs. Excessive debt is indicated when the work needed for compliance would require a capital cost or user charge significantly beyond the per-household cost for similar sized communities within the state. Penalties shall not be assessed if a political subdivision complies with the schedule authorized by the Department.

SECTION 4. 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 6th day of March, 1996.

President of the Senate

Passed the House of Representatives the \_\_\_\_ day of

\_\_\_\_\_, 1996.

Speaker of the House of Representatives