

SHORT TITLE: Waters and water rights; providing easement procedures for certain rural water districts; codification; emergency.

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

SENATE BILL NO. 91

By: Fisher

AS INTRODUCED

An Act relating to waters and water rights; providing certain procedures for certain not-for-profit corporations to obtain rights of eminent domain for certain purposes; 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 1324.60 of Title 82, unless there is created a duplication in numbering, reads as follows:

A not-for-profit corporation organized pursuant to the provisions of the Oklahoma General Corporation Act, Section 1001 et seq. of Title 18 of the Oklahoma Statutes, for a purpose not including pecuniary gain to its shareholders or members, paying no dividends or other pecuniary remuneration, directly or indirectly to its shareholders or members as such and having no capital stock, and organized and existing for the purpose of developing and providing rural water supplies to serve rural residents shall have and exercise the right of eminent domain in the same manner and according to the procedures provided for in Sections 51 through 65 of Title 66 of the Oklahoma Statutes, provided, that the use of said eminent domain provisions, shall be restricted to the purpose of developing and providing rural gas distribution, water works and sewage disposal facilities. Provided, however, no personal or real

property, easement or right-of-way of any utility may be acquired by eminent domain.

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.

46-1-0343

MJM