

STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1323

By: Fields

COMMITTEE SUBSTITUTE

An Act relating to waters and water rights; prohibiting certain water supply providers from terminating or providing for termination of contracts for providing drinking water to certain municipalities, county or rural water districts in certain instances; authorizing termination after five-year period; defining terms; providing exception; 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 1324.10A of Title 82, unless there is created a duplication in numbering, reads as follows:

A. In order to ensure that residents of this state have access to a year-around adequate and dependable supply of water and except as otherwise provided by this section, no water supply provider contracting with a municipality, county or rural water district of this state for the purpose of providing drinking water to or on behalf of any such municipality, county or rural water district shall terminate or provide for the termination of such contract if the municipality, county or rural water district has no other source of drinking water available.

B. Any water supply provider intending to terminate or provide for the termination of a contract executed for the purpose of providing drinking water to a municipality, county or rural water district shall give written notice of such intention to the municipality, county or rural water district. After receipt of the

written notice, the municipality, county or rural water district shall obtain another source of drinking water within five (5) years of the written notice as necessary. Five (5) years after written notice is provided to the municipality, county or rural water district, the water supply provider may terminate or provide for the termination of the contract.

C. The provisions of this section prohibiting termination or providing for termination of contracts executed for the purpose of providing for drinking water shall not apply if the reason for termination is for breach of contract by the municipality, county or rural water district receiving the drinking water.

D. For purposes of this section, the term "water supply provider" means and includes any municipality, county or rural water district providing drinking water under contract to another entity.

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.

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