

SB 145

THE STATE SENATE
Tuesday, February 27, 2001

Senate Bill No. 145
As Amended

SENATE BILL NO. 145 - By: CAIN of the Senate and BLACKBURN of the House.

[utilities - resale of water or sewage service - effective date]

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

SECTION 1. AMENDATORY Section 6, Chapter 212, O.S.L. 1999 (17 O.S. Supp. 2000, Section 151.1), is amended to read as follows:

Section 151.1 A. Except for any person, public utility, or public service corporation subject to the jurisdiction of the Corporation Commission, or a municipal utility, or a public trust which has as its beneficiary the municipality, no owner of any interest in real property in this state who purchases water or sewage services from a municipality and who resells such water or sewage services to any residential lessee of any interest in such real property for the purpose of providing water or sewage services shall charge such lessee any amount in excess of ten percent (10%) of the cost to such reseller for each billing cycle of the water or sewage services purchased by the reseller from the supplier.

1 B. The reseller shall separately disclose in its water or
2 sewage services bills to the lessee the per unit cost of its
3 purchased water or sewage services and the actual amount of each fee
4 or charge in dollars and cents to be paid by the lessee to the
5 reseller.

6 C. Resellers shall install individual water meters for each
7 residential unit to which they provide water.

8 D. Any person who willfully violates the provisions of this
9 section, upon conviction thereof by a district court, shall be
10 guilty of a misdemeanor. In addition to the punishment prescribed
11 by this subsection, the reseller is liable in treble damages to the
12 lessee injured, said damages to be recovered in a civil action by
13 the consumer so injured. Treble damages shall be based on the total
14 amount to be paid to the reseller by the lessee for each bill which
15 exceeds the authorized percentage pursuant to this section.

16 ~~D.~~ E. The Office of the Attorney General of this state shall
17 have the power and duty to investigate and prosecute any violations
18 of the provisions of this section.

19 SECTION 2. This act shall become effective November 1, 2001.

20 COMMITTEE REPORT BY: COMMITTEE ON ENERGY, ENVIRONMENTAL RESOURCES &
21 REGULATORY AFFAIRS, dated 2-22-01 - DO PASS, As Amended and
22 Coauthored.