

STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

SENATE BILL 410

By: Easley

AS INTRODUCED

An Act relating to electric energy; creating the Education Energy Assistance Act; providing short title; defining terms; authorizing the Governor to declare emergency under certain conditions; stating procedure for declaring emergency; providing for termination; providing exception; authorizing certain public school districts to receive industrial customer rate for electric service for certain time period; authorizing municipal electric systems and electric cooperatives to adopt emergency rate for schools; 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 701 of Title 17, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Education Energy Assistance Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 702 of Title 17, unless there is created a duplication in numbering, reads as follows:

As used in this act:

1. "Commission" means the Corporation Commission;
2. "Emergency declaration" means a written finding of emergency issued by Executive Order of the Governor pursuant to the provisions of this act; and
3. "Qualified public school district" means any public school district as defined in Sections 5-101, 5-102, and 5-103 of Title 70 of the Oklahoma Statutes.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 703 of Title 17, unless there is created a duplication in numbering, reads as follows:

A. The Governor may declare an emergency pursuant to the provisions of this act upon finding any of the following:

1. The State Board of Equalization has certified, prior to the convening of a regular session of the Legislature, that itemized estimated revenues for the ensuing fiscal year accruing to the credit of the General Revenue Fund are less than or equal to the annual itemized estimated revenues for the preceding fiscal year;

2. The Office of State Finance is requiring across the board reductions in expenditures of state agencies in any current fiscal year to comply with requirements of the Oklahoma Constitution; or

3. A qualified public school district is required to reduce expenditures for educational instruction and services to comply with reductions in budgeted expenditures during the remainder of the current fiscal year or the ensuing fiscal year.

B. An emergency declaration made pursuant to subsection A of this section, made by Executive Order of the Governor, shall not exceed a period of twelve (12) months. Provided, however, such emergency declaration may be extended for an additional period of up to twelve (12) months if the Governor determines that an emergency continues to exist.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 704 of Title 17, unless there is created a duplication in numbering, reads as follows:

Upon the issuance of an emergency declaration by the Governor, a qualified public school district currently receiving retail electric service from any public utility, subject to the jurisdiction of the Corporation Commission, shall be allowed to purchase electric service at the same rate charged to the industrial customers of the utility, during the period of the emergency.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 705 of Title 17, unless there is created a duplication in numbering, reads as follows:

Nothing in this act shall prohibit any municipal electric system or electric cooperative, not subject to the jurisdiction of the Commission, from adopting an emergency electric rate for school located within their service territory consistent with the intent of this act.

SECTION 6. 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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