

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

SENATE BILL 372

By: Rabon

AS INTRODUCED

An Act relating to waters and water rights; providing for compensation for damages caused to municipalities or other political subdivisions as a result of certain moratorium; 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 1020.9C of Title 82, unless there is created a duplication in numbering, reads as follows:

If any municipality or other political subdivision of this state suffers damage as a result of the moratorium imposed in Section 1020.9B of Title 82 of the Oklahoma Statutes, and notwithstanding the exemptions from liability provided in Section 155 of Title 51 of the Oklahoma Statutes, the Water Resources Board is authorized and directed to provide just compensation of such damages. In the event that legal action is brought to compel payment of such compensation, the governmental immunity of the state is waived to the extent of such damages. Compensation authorized by this section shall be determined in accordance with the method for ascertaining damages in eminent domain proceedings for the taking of private property.

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.