

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

SENATE BILL 47

By: Riley

AS INTRODUCED

An Act relating to oil and gas; amending Section 1, Chapter 361, O.S.L. 2003 (52 O.S. Supp. 2004, Section 318.10), which relates to restriction on location of habitable structures; providing exemption; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 1, Chapter 361, O.S.L. 2003 (52 O.S. Supp. 2004, Section 318.10), is amended to read as follows:

Section 318.10 A. After ~~the effective date of this act~~ July 1, 2003, it shall be unlawful to construct or locate any habitable structure within:

1. A radius of one hundred twenty-five (125) feet from the wellbore of an active well; or
2. A radius of fifty (50) feet from the center of any surface equipment or other equipment necessary for the operation of an active well, including, but not limited to, hydrocarbon and brine storage vessels, tanks, compressors, heaters, separators, dehydrators, or any other related equipment.

B. ~~Provided, however, the~~ The provisions of this section shall not prohibit an operator and surface owner from agreeing in writing to setback provisions with distances different from those set forth in this section.

C. The provisions of this section shall not apply to the construction of any habitable structure on a lot which has been platted and recorded pursuant to law prior to July 1, 2003.

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.

50-1-1300

MJM

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