

THE HOUSE OF REPRESENTATIVES  
Monday, April 7, 2008

Committee Substitute for  
ENGROSSED  
Senate Bill No. 1662

COMMITTEE SUBSTITUTE FOR ENGROSSED SENATE BILL NO. 1662 - By:  
BARRINGTON of the Senate and JETT of the House.

An Act relating to environment and natural resources; amending 27A O.S. 2001, Section 2-10-901, which relates to municipal solid waste management systems; requiring certain cities and towns to permit burning of debris on certain land or require disposal services; and providing an effective date.

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

1 SECTION 1. AMENDATORY 27A O.S. 2001, Section 2-10-901, is amended to  
2 read as follows:

3 Section 2-10-901. A. All incorporated cities and towns may directly or through a  
4 public trust of which it is a beneficiary develop a plan, subject to the approval of the  
5 Department of Environmental Quality, to provide a solid waste management system and  
6 shall adequately provide for the collection and disposal of solid waste generated or  
7 existing within the incorporated limits of such city or town or in the area to be served  
8 thereby at one or more disposal sites. The governing body of the city or town may enter  
9 into agreements with a county or counties, with one or more other incorporated towns or

1 cities, with persons or trusts, or with any combination thereof, to provide a disposal site  
2 or implement a solid waste management system for the incorporated city or town.

3 B. The governing body of such town or city shall have the authority to levy and  
4 collect such fees and charges and require such licenses as may be appropriate to  
5 discharge their responsibility, and such fees, charges and licenses shall be based on a fee  
6 schedule as set forth in an ordinance.

7 C. Incorporated cities or towns may control, through ordinance, regulation, rule or  
8 by permit, the collection, transportation, storage and disposal of solid waste generated or  
9 existing within the jurisdiction or control of such city or town, including requiring the  
10 delivery of all such solid waste to a disposal site. Provided, that the city or town may not  
11 require the delivery of solid waste to the operator of a solid waste management system  
12 other than in accordance with the procedures of ~~this act~~ the Oklahoma Solid Waste  
13 Management Act.

14 D. Incorporated cities and towns may accept and disburse funds derived from  
15 grants from the federal or state governments or from private sources or from monies that  
16 may be appropriated from the General Fund, for the installation and operation of a solid  
17 waste management system, or any part thereof.

18 E. Incorporated cities and towns are authorized to contract for the purchase of  
19 land, facilities, vehicles and machinery necessary to the installation and operation of a  
20 solid waste management system, either individually or as a party to a regional or county  
21 solid waste authority.

1 F. The governing body of an incorporated city or town shall have the right to  
2 establish policies for the operation of a solid waste management system including hours  
3 of operation, character and kinds of waste accepted at the disposal site, and such other  
4 rules as may be necessary for the safety of the operating personnel.

5 G. Incorporated cities or towns shall permit landowners of agricultural land located  
6 within the city or town boundaries to burn debris originating from their property  
7 following a flood or other natural disaster. The city or town may enact procedures to  
8 determine the type of materials and locations appropriate for burning and affected  
9 landowners shall comply with all local, state and federal laws regulating such burning.

10 H. All incorporated cities or towns are delegated the authority necessary to fulfill  
11 ~~these purposes~~ the provisions of this section.

12 SECTION 2. This act shall become effective January 1, 2009.

13 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT AND  
14 TRANSPORTATION, dated 04-03-08 - DO PASS, As Amended.