

1 ENGROSSED SENATE  
2 BILL NO. 1838

By: Sykes of the Senate

3 and

4 Morgan of the House

5  
6  
7 [ waters and water rights - Oklahoma Floodplain

8 Management Act - fees -

9 emergency ]

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

13 SECTION 1. AMENDATORY 82 O.S. 2001, Section 1604, as  
14 last amended by Section 3, Chapter 95, O.S.L. 2004 (82 O.S. Supp.  
15 2009, Section 1604), is amended to read as follows:

16 Section 1604. A. To allow participation in the program, the  
17 Oklahoma Water Resources Board, boards of county commissioners and  
18 municipal governing bodies are authorized to establish floodplain  
19 boards for their respective area of jurisdiction which may adopt,  
20 administer and enforce floodplain management rules and regulations,  
21 for the purpose of:

22 1. The delineation of floodplains and floodways;

23 2. The preservation of the capacity of the floodplain to carry  
24 and discharge regional floods;

1           3. The minimization of flood hazards;

2           4. ~~The establishment and charging of reasonable fees, not to~~  
3 ~~exceed Five Hundred Dollars (\$500.00), for services provided by the~~  
4 ~~Board, county commissioners and municipalities in the administration~~  
5 ~~of their responsibilities pursuant to the Oklahoma Floodplain~~  
6 ~~Management Act;~~

7           ~~5.~~ The regulation of the use of land in the floodplain;

8           ~~6.~~ 5. The protection of the natural and beneficial functions of  
9 the floodplain, reducing damage to property from floods, reducing  
10 injury and loss of life from floods, and allowing communities to be  
11 eligible for flood insurance; and

12           ~~7.~~ 6. The hiring and employment of an accredited floodplain  
13 administrator.

14           B. The rules and regulations shall be based on adequate  
15 technical data and competent engineering advice and shall be  
16 consistent with local and regional comprehensive planning.

17           C. The rules and regulations shall be approved by the Oklahoma  
18 Water Resources Board, the county or the municipality, as the case  
19 may be, by appropriate order, resolution or ordinance.

20           SECTION 2. It being immediately necessary for the preservation  
21 of the public peace, health and safety, an emergency is hereby  
22 declared to exist, by reason whereof this act shall take effect and  
23 be in full force from and after its passage and approval.

1 Passed the Senate the 8th day of March, 2010.

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3 \_\_\_\_\_  
4 Presiding Officer of the Senate

5 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
6 2010.

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8 \_\_\_\_\_  
9 Presiding Officer of the House  
10 of Representatives