

1 ENGROSSED SENATE  
2 BILL NO. 303

By: Bingman of the Senate

and

Thompson of the House

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7 An Act relating to retail electric service; amending  
8 Section 4, Chapter 263, O.S.L. 2008 (17 O.S. Supp.  
9 2008, Section 158.44), which relates to the Retail  
10 Electric Consumer Cost Reduction, Safety and Service  
11 Efficiency Act; stating construction upon expiration  
12 of certain franchise; and declaring an emergency.

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

14 SECTION 1. AMENDATORY Section 4, Chapter 263, O.S.L.  
15 2008 (17 O.S. Supp. 2008, Section 158.44), is amended to read as  
16 follows:

17 Section 158.44 Subject to the provisions of the Retail Electric  
18 Consumer Cost Reduction, Safety and Service Efficiency Act, any  
19 retail electric supplier shall be entitled to continue and extend  
20 the furnishing of electricity, including the right to construct,  
21 maintain and operate electric transmission and distribution lines  
22 and related facilities along, upon, under and across all existing  
23 and future public thoroughfares in an area that has been or shall be  
24 included, as a result of incorporation or annexation, within the  
boundaries of a municipality if the retail electric supplier was

1 furnishing electricity or was constructing or operating electric  
2 facilities in the area prior to its incorporation or annexation  
3 without obtaining the consent, franchise, license, permit or other  
4 authority of the municipality, subject, however, to compliance with  
5 the lawful safety requirements of the municipality as to the matter  
6 of constructing and maintaining facilities along, upon, under and  
7 across thoroughfares. Provided that, if any such retail electric  
8 supplier is or has been operating under a franchise granted by the  
9 voters of the municipality, upon expiration of such franchise, this  
10 section shall not be construed as a grant of a right to continue and  
11 extend the furnishing of electricity within the boundaries of the  
12 municipality other than as granted with regard to the annexed area  
13 referred to in this section.

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

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1 Passed the Senate the 24th day of February, 2009.

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4 Presiding Officer of the Senate

5 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
6 2009.

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9 Presiding Officer of the House  
10 of Representatives