

ENROLLED SENATE
BILL NO. 303

By: Bingman of the Senate

and

Watson and Thompson of the
House

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

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

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

Section 158.44 Subject to the provisions of the Retail Electric Consumer Cost Reduction, Safety and Service Efficiency Act, any retail electric supplier shall be entitled to continue and extend the furnishing of electricity, including the right to construct, maintain and operate electric transmission and distribution lines and related facilities along, upon, under and across all existing and future public thoroughfares in an area that has been or shall be included, as a result of incorporation or annexation, within the boundaries of a municipality if the retail electric supplier was furnishing electricity or was constructing or operating electric facilities in the area prior to its incorporation or annexation without obtaining the consent, franchise, license, permit or other authority of the municipality, subject, however, to compliance with

the lawful safety requirements of the municipality as to the matter of constructing and maintaining facilities along, upon, under and across thoroughfares. Provided that, if any such retail electric supplier is or has been operating under a franchise granted by the voters of the municipality, upon expiration of such franchise, this section shall not be construed as a grant of a right to continue and extend the furnishing of electricity within the boundaries of the municipality other than as granted with regard to the annexed area referred to in this section.

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.

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

Presiding Officer of the Senate

Passed the House of Representatives the 7th day of April, 2009.

Presiding Officer of the House
of Representatives