

ESB 1838

THE HOUSE OF REPRESENTATIVES
Monday, April 12, 2010

ENGROSSED
Senate Bill No. 1838
As Amended

ENGROSSED SENATE BILL NO. 1838 - By: SYKES of the Senate and MORGAN of the House.

[waters and water rights - Oklahoma Floodplain Management Act - fees -
emergency]

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

- 1 SECTION 1. AMENDATORY 82 O.S. 2001, Section 1604, as last amended by
2 Section 3, Chapter 95, O.S.L. 2004 (82 O.S. Supp. 2009, Section 1604), is amended to
3 read as follows:
- 4 Section 1604. A. To allow participation in the program, the Oklahoma Water
5 Resources Board, boards of county commissioners and municipal governing bodies are
6 authorized to establish floodplain boards for their respective area of jurisdiction which
7 may adopt, administer and enforce floodplain management rules and regulations, for the
8 purpose of:
- 9 1. The delineation of floodplains and floodways;
 - 10 2. The preservation of the capacity of the floodplain to carry and discharge regional
11 floods;

- 1 3. The minimization of flood hazards;
- 2 4. ~~The establishment and charging of reasonable fees, not to exceed Five Hundred~~
- 3 ~~Dollars (\$500.00), for services provided by the Board, county commissioners and~~
- 4 ~~municipalities in the administration of their responsibilities pursuant to the Oklahoma~~
- 5 ~~Floodplain Management Act;~~
- 6 ~~5.~~ The regulation of the use of land in the floodplain;
- 7 ~~6.~~ 5. The protection of the natural and beneficial functions of the floodplain,
- 8 reducing damage to property from floods, reducing injury and loss of life from floods, and
- 9 allowing communities to be eligible for flood insurance; and
- 10 ~~7.~~ 6. The hiring and employment of an accredited floodplain administrator.
- 11 B. The rules and regulations shall be based on adequate technical data and
- 12 competent engineering advice and shall be consistent with local and regional
- 13 comprehensive planning.
- 14 C. The rules and regulations shall be approved by the Oklahoma Water Resources
- 15 Board, the county or the municipality, as the case may be, by appropriate order,
- 16 resolution or ordinance.

17 SECTION 2. It being immediately necessary for the preservation of the public

18 peace, health and safety, an emergency is hereby declared to exist, by reason whereof

19 this act shall take effect and be in full force from and after its passage and approval.

20 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET,

21 dated 04-08-10 - DO PASS, As Amended.