

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 HOUSE BILL 1437

By: Renegar

4
5 AS INTRODUCED

6 An Act relating to waters and water rights; amending
7 Section 1, Chapter 485, O.S.L. 2002, as amended by
8 Section 1, Chapter 392, O.S.L. 2004 (82 O.S. Supp.
9 2008, Section 1B), which relates to a moratorium on
10 the sale or exportation of surface and groundwater
11 outside the state; modifying term of the moratorium;
12 and declaring an emergency.

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

14 SECTION 1. AMENDATORY Section 1, Chapter 485, O.S.L.
15 2002, as amended by Section 1, Chapter 392, O.S.L. 2004 (82 O.S.
16 Supp. 2008, Section 1B), is amended to read as follows:

17 Section 1B. A. In order to provide for the conservation,
18 preservation, protection and optimum development and utilization of
19 surface water and groundwater within Oklahoma, the Legislature
20 hereby establishes a moratorium on the sale or exportation of
21 surface water and/or groundwater outside this state pursuant to the
22 provisions of this section. Unless otherwise repealed or revoked by
23 the Oklahoma Legislature, the moratorium shall be in effect ~~for a~~
24 ~~five-year period beginning on the effective date of this act or~~
until such time as the State of Oklahoma conducts and completes a

1 comprehensive scientific hydrological study of the water resources
2 of this state.

3 B. Subject to the moratorium set by subsection A of this
4 section, no state agency, authority, board, commission, committee,
5 department, trust or other instrumentality of this state or
6 political subdivision thereof, nor elected or appointed officer,
7 member of any governing body or other person designated to act for
8 an agency or on behalf of the state, or a political subdivision
9 thereof shall contract for the sale or exportation of surface water
10 or groundwater outside the state, or sell or export surface water or
11 groundwater outside the state without the consent of the Oklahoma
12 Legislature specifically authorizing such sale or export of water.

13 C. Nothing in this section shall be construed as affecting or
14 intending to affect:

15 1. Any contract for the sale or exportation of surface water or
16 groundwater outside the state executed prior to the effective date
17 of this act which has received legislative approval or was executed
18 pursuant to law, provided such sale or exportation of surface water
19 or groundwater does not exceed eight million (8,000,000) gallons of
20 water per month; or

21 2. Water contained in agricultural crops, animal and dairy
22 products, beverages, or processed or manufactured products or to
23 products transported in cans, bottles, packages, kegs, or barrels.

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

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