

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 HOUSE BILL 3226

By: Hoskin

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5
6 AS INTRODUCED

7 An Act relating to oil and gas; amending 52 O.S.
8 2001, Section 420.5, as last amended by Section 4,
9 Chapter 143, O.S.L. 2006 (52 O.S. Supp. 2009, Section
10 420.5), which relates to the Oklahoma Liquefied
11 Petroleum Gas Regulation Act; directing the Oklahoma
12 Liquefied Petroleum Gas Board to adopt rules
13 requiring certain information be provided with
14 liquefied petroleum gas containers; and providing an
15 effective date.

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

17 SECTION 1. AMENDATORY 52 O.S. 2001, Section 420.5, as
18 last amended by Section 4, Chapter 143, O.S.L. 2006 (52 O.S. Supp.
19 2009, Section 420.5), is amended to read as follows:

20 Section 420.5 A. The Oklahoma Liquefied Petroleum Gas Board is
21 authorized to establish a fee, to be paid to the State Liquefied
22 Petroleum Gas Administrator, upon the sale, purchase, rental and/or
23 use in this state of liquefied petroleum gas refillable cylinders
24 and all other liquefied petroleum gas containers.

B. Each manufacturer of LP-Gas containers in Oklahoma, each
vendor of containers manufactured without the state, and each

1 person, firm or corporation placing any LPG container or cylinder in
2 use in this state shall pay the applicable fee. For vendors of
3 containers manufactured without this state, the fee or fees shall
4 apply and become due upon delivery to the vendors, or for their
5 account, within the state, of containers or cylinders purchased
6 without the state. In no event shall the fees herein levied be paid
7 or become payable on any container or cylinder sold, rented,
8 purchased or placed in use in this state prior to the effective date
9 of this act, or more than once on any container or cylinder, or upon
10 any container or cylinder resold, rerented, repurchased or reused in
11 this state. The Administrator is authorized to refund or credit
12 fees upon containers sold without the state upon which the fees have
13 previously been paid, or any fees which have erroneously been paid,
14 upon written application supported by affidavit setting forth the
15 basis for such refund. The Administrator is authorized to adopt a
16 system of identification of containers on which the fees herein
17 levied have been paid.

18 C. No person, firm or corporation shall use or install in this
19 state any container or cylinder upon which the applicable fee levied
20 above applies and has not been paid. In case of failure to pay
21 within the specified time, there shall be assessed a penalty of
22 twenty-five percent (25%), which shall be added to the applicable
23 fee.

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1 D. The Board shall adopt rules regulating the filling of
2 liquefied petroleum gas containers which require that each time a
3 container is filled or refilled and is sold, resold, rented,
4 repurchased or reused, the purchaser of the container is provided
5 information that accurately reflects the capacity of the container,
6 the actual total volume of liquefied petroleum gas in the filled
7 container, and the unit price of the liquefied petroleum gas as
8 measured per gallon or other unit of measure as determined by the
9 Board.

10 SECTION 2. This act shall become effective November 1, 2010.

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