ENGROSSED SENATE
BILL NO. 1425

By: Brecheen, Allen and Simpson of the Senate

and

Richardson of the House

An Act relating to burning debris on private property; stating intent; directing certain agencies and entities to develop legislative recommendations by certain date; stating requirements for recommendations; directing distribution; providing for noncodification; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

A. It is the intent of this act to reduce costs to private property owners and taxpayers and expedite debris removal operations following a declaration of emergency or disaster by the Governor due to a natural disaster. To accomplish this goal, the Oklahoma Department of Emergency Management is hereby directed to develop, in consultation with the state agencies and interested stakeholders listed herein, legislative recommendations necessary to enact a program incorporating the requirements listed herein which will promote the usage of best practices and safety guidelines to allow for onsite burning of debris on private property.

B. The Oklahoma Department of Emergency Management shall coordinate the development of recommendations for a statewide program as required by this act in consultation with officials or designees of the following:

1. Department of Environmental Quality;

2. Oklahoma Department of Agriculture, Food, and Forestry;

3. Department of Labor;

4. Department of Corrections;

5. State Fire Marshal;

6. State Department of Health;

7. Oklahoma Municipal League;

8. Association of County Commissioners of Oklahoma; and

9. Oklahoma Emergency Management Association.

C. The following guidelines shall be used in developing the recommendations as required by this act:

1. The program shall allow affected residents to burn vegetative material onsite on private property;

2. Counties or municipalities may opt out of the program through local administrative action; and

3. The Oklahoma Department of Emergency Management shall administer the program and review the program on an annual basis.

D. No later than December 1, 2012, the Oklahoma Department of Emergency Management shall submit legislative recommendations as

required herein to the Governor, the President Pro Tempore of the Senate and the Speaker of the House of Representatives.

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 6th day of March, 2012.

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Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____, 2012.

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Presiding Officer of the House of Representatives