

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 HOUSE BILL 2358

By: Kouplen

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5
6 AS INTRODUCED

7 An Act relating to waters and water rights; amending
8 82 O.S. 2011, Section 1B, which relates to surface
9 water and groundwater; clarifying language; and
10 providing an effective date.

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

13 SECTION 1. AMENDATORY 82 O.S. 2011, Section 1B, is
14 amended to read as follows:

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21 repealed or revoked by the Oklahoma Legislature, the moratorium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

1 conducts and completes a comprehensive scientific hydrological study
2 of the water resources 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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SECTION 2. This act shall become effective November 1, 2012.

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