

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2548

By: Nollan

4
5
6 AS INTRODUCED

7 An Act relating to waters and water rights; amending
8 82 O.S. 2011, Section 1630, which relates to
9 assessment on property within a drainage district;
10 updating statutory language; adding methods for the
11 valuation of property; authorizing the county
12 commissioners to select the valuation method;
13 modifying exemption for certain properties;
14 authorizing certain county commissioners to
15 reevaluate and modify the physical boundaries of
16 drainage districts; providing limitation for
17 boundaries; providing for codification; and declaring
18 an emergency.

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

20 SECTION 1. AMENDATORY 82 O.S. 2011, Section 1630, is
21 amended to read as follows:

22 Section 1630. Any county in which a drainage district was
23 organized and is continuing operations pursuant to statutes enacted
24 prior to ~~the effective date of this section~~ June 2, 2008, shall be
authorized to impose an assessment upon real or personal property
located within the boundary of the district as such district was
organized upon ~~the effective date of this section~~ June 2, 2008, for
the same purpose~~7~~. The assessment shall be based upon the assessed

1 value of the property as determined by the current assessment roll
2 of the county assessor in the county where the property is located,
3 the assessed value as provided by the Oklahoma Tax Commission, or
4 any other valuation which is rationally related to the benefit the
5 property receives from the protection from flood and flood waters
6 via the infrastructure contained within the district. The method of
7 valuation utilized for the assessment of property pursuant to this
8 section shall be at the sole discretion of the commissioners of the
9 county in which the district is located. ~~Properties~~ Except for the
10 state and any political subdivisions of the state, excluding school
11 districts, properties that are exempt from ad valorem taxation are
12 exempt from the assessment referred to within this section.

13 SECTION 2. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 1631 of Title 82, unless there
15 is created a duplication in numbering, reads as follows:

16 The commissioners of any county in which a drainage district was
17 organized and is continuing operations pursuant to statutes enacted
18 prior to June 2, 2008, shall be authorized to reevaluate and
19 subsequently modify the physical boundary of the district upon
20 making a fact-based finding that the newly proposed boundary is
21 rationally related to those geographical areas which receive a
22 direct benefit of protection from flood and flood waters via the
23 infrastructure contained within the district, so long as those

24

1 boundaries do not exceed the physical boundaries of the county in
2 which the district is located.

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

7

8 53-2-9022 KB 01/03/12

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24