STATE OF OKLAHOMA

2nd Session of the 53rd Legislature (2012)

HOUSE BILL 2756 By: McPeak

AS INTRODUCED

An Act relating to oil and gas; directing an operator of a commercial injection or disposal well to collect an additional fee on deleterious substances from another state; providing for calculation of the additional fee; providing for payment of the additional fee to the Corporation Commission; establishing schedule for payment; directing the Commission to distribute the fees to certain entities; allowing the Commission to retain certain amount for administration; directing the Commission to establish reporting and payment procedures; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 158 of Title 52, unless there is created a duplication in numbering, reads as follows:

A. In order to protect public health and preserve the expectation of future underground disposal capabilities of areas local to commercial injection or disposal well sites, the operator of a commercial injection or disposal well shall collect an

additional fee on any deleterious substance which originated in another state and is disposed of in the injection or disposal well.

B. The additional fee shall be assessed on each gallon of deleterious substance which originated in another state and is disposed of in a commercial injection or disposal well located in the state. The fee shall be calculated by adding an additional ten percent (10%) on to the fee assessed to other similar deleterious substance which originated in-state and is disposed of at the well. If in-state deleterious substances are not disposed of at the well, the fee shall be calculated by adding an additional ten percent (10%) on to the fee that was being assessed to out-of-state deleterious substance prior to implementation of the additional fee.

C. 1. The additional fee assessed as provided for in this section shall be paid to the Corporation Commission on a quarterly basis within one (1) month following the close of each quarter, for each gallon of deleterious substance disposed of during the preceding quarter.

2. The Commission shall distribute the fee to the:

a. board of county commissioners in the county in which the disposal well from which the fee is paid is located for purposes of road repair and construction, and

b. Department of Transportation for purposes of road repair and construction in the county in which the disposal well from which the fee is paid is located.

3. The Commission may retain not more than five percent (5%) of the fees collected for administration.

D. The Corporation Commission shall establish reporting and payment procedures, including forms and applications, which shall be submitted with the payment of the fee as provided for in this section.

SECTION 2. This act shall become effective July 1, 2012.

SECTION 3. 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.

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