

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2796

By: Ortega

4
5
6 AS INTRODUCED

7 An Act relating to energy; amending 17 O.S. 2011,
8 Section 160.12, which relates to the Oklahoma Wind
9 Energy Development Act; updating statutory citations;
10 and providing an effective date.

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

12 SECTION 1. AMENDATORY 17 O.S. 2011, Section 160.12, is
13 amended to read as follows:

14 Section 160.12 The Legislature finds that:

15 1. Oklahoma's wind energy resources are an important asset for
16 the continued economic growth of the state and for the provision of
17 clean and renewable power to both the people of the state and the
18 nation as a whole;

19 2. Promotion of the development of wind energy resources is
20 important to the economic growth of the state;

21 3. The prudent development of wind energy resources requires
22 addressing the relationship of the needs of wind energy developers
23 with those of the mineral estate owners who have the historical
24 right to make reasonable use of the surface estate, including the

1 right of ingress and egress therefor, for the purpose of exploring,
2 severing, capturing and producing the minerals as reflected in the
3 Exploration Rights Act of 2011, Sections ~~3~~ 801 through ~~7~~ 805 of ~~this~~
4 ~~act~~ Title 52 of the Oklahoma Statutes, and balancing the needs of
5 wind energy developers with those of the landowners who provide
6 access to the wind energy resource, including assurances that wind
7 turbines and wind energy facilities will be properly decommissioned,
8 that they will have access to adequate information to verify the
9 accuracy of their payments, and that they will be adequately
10 protected against hazards and accidents that may arise from the wind
11 turbines or wind energy facilities;

12 4. The conversion of wind energy into power for utility-scale
13 systems frequently requires large wind energy systems consisting of
14 wind turbines, electrical substations, electrical lines, and other
15 supporting systems;

16 5. Wind energy facilities, if abandoned or not properly
17 maintained, could pose a hazard to public health, safety, and
18 welfare through mechanical failures, electrical hazards, or the
19 release of hazardous substances; and

20 6. To protect the public against health and safety hazards,
21 standards for the safe decommissioning of wind energy facilities
22 should be established and assurance of adequate financial resources
23 should be given so that the wind energy systems can be properly
24 decommissioned at the end of their useful life.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

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

53-2-8411 KB 01/11/12