

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1087

By: Burrage

4  
5  
6 AS INTRODUCED

7 An Act relating to oil and gas; amending 52 O.S.  
8 2011, Section 570.14, which relates to the Production  
9 Revenue Standards Act; modifying remedies available  
to well owners; stating construction; and declaring  
an emergency.

10  
11  
12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 52 O.S. 2011, Section 570.14, is  
14 amended to read as follows:

15 Section 570.14. A. The district courts within this state shall  
16 have the sole and exclusive jurisdiction to determine the  
17 entitlement of any owner in a well to:

- 18 1. Its share of proceeds from production; ~~or~~  
19 2. Damages, interest, court costs, attorneys' fees or allowable  
20 litigation expenses incurred as a result of the violation of ~~this~~  
21 ~~act~~ the Production Revenue Standards Act; or  
22 3. Other relief authorized by subsection C of this section for  
23 violations of the Production Revenue Standards Act.  
24

1 B. Any rulemaking power granted to the Corporation Commission  
2 by the Production Revenue Standards Act shall neither preclude nor  
3 impair the right of any owner to obtain through the district courts  
4 remedies available under existing law or additional remedies herein  
5 granted to any owner injured in business or property by reason of  
6 any action in violation of the provisions of the Production Revenue  
7 Standards Act.

8 C. Any owner injured in business or property by reason of any  
9 action in violation of the provisions of the Production Revenue  
10 Standards Act shall have the right to:

11 1. Recover actual damages so sustained; ~~and~~

12 2. Obtain removal of the operator or designated royalty  
13 distributor;

14 3. Obtain cancellation or a determination of forfeiture of the  
15 lease, pooling order or interest in the well; and

16 4. Obtain specific performance where equitable.

17 D. The prevailing party in any court proceeding brought  
18 pursuant to the Production Revenue Standards Act shall be entitled  
19 to recover the costs of the suit, including but not limited to  
20 reasonable attorney and expert witness fees.

21 E. Nothing in the Production Revenue Standards Act shall be  
22 construed as limiting or precluding any claims or remedies provided  
23 by contract or existing law.

24

1        ~~D.~~ F. For purposes of the Production Revenue Standards Act, the  
2 statute of limitations on actions brought pursuant to the provisions  
3 of the Production Revenue Standards Act shall be five (5) years from  
4 the date the cause of action shall have accrued, provided however,  
5 nothing shall create, limit or expand any statute of limitations  
6 applicable to production occurring prior to September 1, 1992.

7        SECTION 2. It being immediately necessary for the preservation  
8 of the public peace, health and safety, an emergency is hereby  
9 declared to exist, by reason whereof this act shall take effect and  
10 be in full force from and after its passage and approval.

11  
12            53-2-2373            MJM            1/5/2012 4:18:51 PM

13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24