

## BILL SUMMARY

2nd Session of the 53rd Legislature

<b>Bill No.:</b>	<b>SB 1327</b>
<b>Version:</b>	<b>FA1-A1</b>
<b>Request Number:</b>	
<b>Author:</b>	<b>Morgan</b>
<b>Date:</b>	<b>4/26/2012</b>
<b>Impact:</b>	<b>\$0</b>

### Research Analysis

Amendment 1 to floor amendment 1 to SB 1327 amends a section of law that makes it unlawful to locate habitable structures within a certain radius of active wells. The amendment increases the radius from 125 feet to 500 feet from the wellbore of an active well.

Floor amendment 1 to SB 1327 adds a new section of law that prohibits proposed commercial disposal wells drilled or proposed to be drilled after the effective date of the act which will be in operation for more than six months from being located within 500 feet of a state, county or municipal facility or a residential development. If it is to be located near both a facility and a residential development, it is prohibited from being within  $\frac{1}{4}$  mile of either the facility or the development. The distance is to be measured from the closest corner of the walls of the closest facility or occupied residence in the development to the wellbore of the well. The measure does not prohibit a well operator and the affected state, county or municipality or occupied residence owner from agreeing in writing to setback provisions with different distances. The measure also defines commercial disposal well, residential development and state, county or municipal facility.

SB 1327 strikes the title and creates nine Regional Water Planning Councils to develop regional water plans and advise the Oklahoma Water Resources Board (OWRB) and other agencies. The measure outlines specific requirements of the regional water planning process for the councils to complete within 10 years, including prioritization and implementation of projects and the completion of a comprehensive regional water plan. The measure requires public meetings and public input in the first and third phases of the process. OWRB is authorized to review and approve the plans and reconcile conflicts that may exist. Funding will be divided equally among the councils from any appropriations that may be made by the Legislature to OWRB for such purposes. The Legislature may make additional funding available for competitive grants to the councils.

The fifteen-member councils are to be based on nine regions of the state divided up by major surface water basins, major groundwater basins, prominent water service territories, political subdivision boundaries and existing water planning areas. The Governor, Speaker of the House and Senate Pro Tem have two appointments each to all councils. Each region's county commissioners and conservation district directors will vote to elect six appointees to their local council, and the boards of directors of special-purpose districts, such as irrigation, conservancy, regional or rural water districts, will vote to elect three appointees. A member of the OWRB board will serve as an ex officio nonvoting member of each council. The councils also will invite representatives of tribal governments in the regions to serve as ex officio nonvoting members. The chairs of the nine councils will comprise a Regional Water Planning Coordinating Committee which will meet at least three times a year and report to and receive input from OWRB.

Prepared By: Robin McAlister

**Fiscal Analysis**

Amendment 1 to floor amendment 1 for SB 1327 would have no state fiscal impact.

Prepared By: Mark Nichols

**Other Considerations**

None