

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 1525

6 By: Cleveland

7 COMMITTEE SUBSTITUTE

8 An Act relating to petroleum storage tanks; limiting  
9 introduction of certain Petroleum Storage Tank  
10 Indemnity Fund bills to odd-numbered years; limiting  
11 passage of certain Petroleum Storage Tank Indemnity  
12 Fund bills to even-numbered years; limiting  
13 consideration of bills introduced in an even-numbered  
14 year; allowing enactment of certain Petroleum Storage  
15 Tank Indemnity Fund bills during any year under  
16 certain emergency circumstances; requiring certain  
17 organizations, agencies or individuals to submit a  
18 report; prohibiting committee consideration of a bill  
19 without a report; stating purpose of the report;  
20 providing for payment of the cost of the report;  
21 listing certain factors to be included in the report;  
22 defining term; providing for codification; and  
23 providing an effective date.

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

25 SECTION 1. NEW LAW A new section of law to be codified  
26 in the Oklahoma Statutes as Section 353.1 of Title 17, unless there  
27 is created a duplication in numbering, reads as follows:

28 A. Except as otherwise provided in this section, any Petroleum  
29 Storage Tank Indemnity Fund bill which would change the distribution  
30 of the assessment imposed pursuant to the provisions of Section 354

1 of Title 17 of the Oklahoma Statutes may be introduced according to  
2 the applicable deadlines established by the House of Representatives  
3 or Senate only in any odd-numbered year during the regular session.  
4 Any such Petroleum Storage Tank Indemnity Fund bill may be passed by  
5 the Legislature only during an even-numbered year of the regular  
6 session. Any Petroleum Storage Tank Indemnity Fund bill may be  
7 introduced in an even-numbered year, but shall not be considered by  
8 the Legislature.

9 B. Notwithstanding the provisions of subsection A of this  
10 section, any Petroleum Storage Tank Indemnity Fund bill which would  
11 change the distribution of the assessment imposed pursuant to the  
12 provisions of Section 354 of Title 17 of the Oklahoma Statutes may  
13 be introduced, considered and enacted in any year of a regular  
14 session of the Legislature if such bill is introduced solely for the  
15 purpose of an unforeseen or emergency situation that needs to be  
16 addressed immediately. The Petroleum Storage Tank Indemnity Fund  
17 bill shall only be considered if three-fourths (3/4) of the  
18 membership of each chamber votes to allow the bill to be considered.  
19 The Petroleum Storage Tank Indemnity Fund bill shall be subject to  
20 the report requirements set forth in subsection C of this section.

21 C. Any organization, agency or individual advocating a  
22 Petroleum Storage Tank Indemnity Fund bill which would change the  
23 distribution of the assessment imposed pursuant to the provisions of  
24 Section 354 of Title 17 of the Oklahoma Statutes shall be required

1 to submit a report to the respective House of Representatives and  
2 Senate standing committee or subcommittee that is primarily  
3 responsible for the consideration of the Petroleum Storage Tank  
4 Indemnity Fund bill. No Petroleum Storage Tank Indemnity Fund bill  
5 may be reported out of committee to which it is assigned or may be  
6 considered or adopted by the House of Representatives or the Senate  
7 unless a report of the bill is made. The report shall assess both  
8 the social and financial impact of the provisions of the bill,  
9 including the effect of the proposed changes on distribution of  
10 reimbursements from the Oklahoma Petroleum Storage Tank Release  
11 Indemnity Program, according to the factors listed in subsection E  
12 of this section.

13 D. The Legislature shall not be responsible for the cost of  
14 preparing the report for a Petroleum Storage Tank Indemnity Fund  
15 bill as required in subsection C of this section.

16 E. To the extent that information is available, the report  
17 required in subsection C of this section shall include but shall not  
18 be limited to the following:

19 1. The social impact:

20 a. the extent to which the change in distribution affects  
21 the number of spills, leaks and other releases of  
22 petroleum from underground storage tank systems in  
23 need of rehabilitation,  
24

1           b.    the extent to which the change in distribution affects  
2                    the quality of groundwater and other natural resources  
3                    in the state, and

4           c.    the extent to which the change in distribution may  
5                    cause delays and added expenses in remedial measures;  
6                    and

7    2.   The financial impact:

8           a.    the extent to which the change in distribution will  
9                    increase or decrease the cost of the cleanup of  
10                   spills, leaks and other releases of petroleum from  
11                   underground storage tank systems,

12          b.    the extent to which the change in distribution will  
13                    create the need for more expensive cleanup measures,  
14                    and

15          c.    the impact of the change in distribution on the total  
16                    cost to underground storage tank system owners.

17          F.    For purposes of this section, a "Petroleum Storage Tank  
18 Indemnity Fund bill" shall mean any bill which amends any or all of  
19 Sections 350 through 358 of Title 17 of the Oklahoma Statutes, which  
20 are known and may be cited as the Oklahoma Petroleum Storage Tank  
21 Release Indemnity Program.

22          SECTION 2.   This act shall become effective November 1, 2013.

23  
24          54-1-7165           KB           2/20/13