

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 54th Legislature (2013)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1525

By: Cleveland

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8 COMMITTEE SUBSTITUTE

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

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 353.1 of Title 17, unless there
is created a duplication in numbering, reads as follows:

1 A. Except as otherwise provided in this section, any Petroleum
2 Storage Tank Indemnity Fund bill which would change the distribution
3 of the assessment imposed pursuant to the provisions of Section 354
4 of Title 17 of the Oklahoma Statutes may be introduced according to
5 the applicable deadlines established by the House of Representatives
6 or Senate only in any odd-numbered year during the regular session.
7 Any such Petroleum Storage Tank Indemnity Fund bill may be passed by
8 the Legislature only during an even-numbered year of the regular
9 session. Any Petroleum Storage Tank Indemnity Fund bill may be
10 introduced in an even-numbered year, but shall not be considered by
11 the Legislature.

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

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1 C. Any organization, agency or individual advocating a
2 Petroleum Storage Tank Indemnity Fund bill which would change the
3 distribution of the assessment imposed pursuant to the provisions of
4 Section 354 of Title 17 of the Oklahoma Statutes shall be required
5 to submit a report to the respective House of Representatives and
6 Senate standing committee or subcommittee that is primarily
7 responsible for the consideration of the Petroleum Storage Tank
8 Indemnity Fund bill. No Petroleum Storage Tank Indemnity Fund bill
9 may be reported out of committee to which it is assigned or may be
10 considered or adopted by the House of Representatives or the Senate
11 unless a report of the bill is made. The report shall assess both
12 the social and financial impact of the provisions of the bill,
13 including the effect of the proposed changes on distribution of
14 reimbursements from the Oklahoma Petroleum Storage Tank Release
15 Indemnity Program, according to the factors listed in subsection E
16 of this section.

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

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

23 1. The social impact:

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- 1 a. the extent to which the change in distribution affects
2 the number of spills, leaks and other releases of
3 petroleum from underground storage tank systems in
4 need of rehabilitation,
- 5 b. the extent to which the change in distribution affects
6 the quality of groundwater and other natural resources
7 in the state, and
- 8 c. the extent to which the change in distribution may
9 cause delays and added expenses in remedial measures;
10 and

11 2. The financial impact:

- 12 a. the extent to which the change in distribution will
13 increase or decrease the cost of the cleanup of
14 spills, leaks and other releases of petroleum from
15 underground storage tank systems,
- 16 b. the extent to which the change in distribution will
17 create the need for more expensive cleanup measures,
18 and
- 19 c. the impact of the change in distribution on the total
20 cost to underground storage tank system owners.

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

3 SECTION 2. This act shall become effective November 1, 2013.
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5 COMMITTEE REPORT BY: COMMITTEE ON ENERGY AND AEROSPACE, dated
6 02/21/2013 - DO PASS, As Amended.
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