ENGROSSED HOUSE AMENDMENT
TO
ENGROSSED SENATE BILL NO. 468 By: Marlatt of the Senate

and

Calvey of the House

An Act relating to oil and gas; stating procedures for taking private property by certain municipalities, counties or political subdivisions under certain conditions relating to oil and gas operations; repealing 52 O.S. 2011, Section 137, which relates to certain powers of cities and towns relating to certain oil and gas exploration; providing for codification; and declaring an emergency.

NOTE: Emergency not considered

AMENDMENT NO. 1. Page 1, lines 6 through 10, strike the title to read

"[oil and gas - stating procedures for taking private property by certain municipalities, counties or political subdivisions relating to oil and gas operations - ~~emergency~~]"

Passed the House of Representatives the 22nd day of April, 2015.

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Presiding Officer of the House of Representatives

Passed the Senate the ____ day of _____, 2015.

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Presiding Officer of the Senate

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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 137.2 of Title 52, unless there is created a duplication in numbering, reads as follows:

Whenever a municipality, county or other political subdivision, other than the Corporation Commission, adopts or implements an ordinance, resolution, rule, regulation or other form of official policy concerning oil and gas operations that has the effect of: (1) interfering with the use and enjoyment of the mineral estate, as defined in Section 802 of Title 52 of the Oklahoma Statutes, (2) imposing or enforcing a limitation that adversely impacts the use and development of minerals by substantially increasing the costs of

the oil and gas operations, or thereby substantially reducing the fair market value of the mineral estate, or (3) prohibiting access to develop the mineral estate, it shall be considered a taking pursuant to Article 2 of the Oklahoma Constitution and relevant statutes. The provisions of this section shall not apply to any ordinance, resolution, rule, regulation or other form of official policy adopted or implemented prior to December 31, 2014.

SECTION 2. REPEALER 52 O.S. 2011, Section 137, is hereby repealed.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 12th day of March, 2015.

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Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____, 2015.

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Presiding Officer of the House of Representatives