

1 ENGROSSED SENATE  
2 BILL NO. 1029

By: Holt of the Senate

and

Hall of the House

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6 An Act relating to cities and towns; authorizing  
7 termination of certain water and sewer services  
8 provided by separate municipality upon delinquency;  
9 stating procedures; requiring certain notice; stating  
10 exception; requiring municipalities to enact  
11 procedures to provide notice and hearing; providing  
12 for codification; and providing an effective date.

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

14 SECTION 1. NEW LAW A new section of law to be codified  
15 in the Oklahoma Statutes as Section 22-112.5 of Title 11, unless  
16 there is created a duplication in numbering, reads as follows:

17 A. Where water service is provided to real property by one  
18 public entity but that property receives sewer or waste water  
19 service from another public entity, and where the sewer or waste  
20 water account for the property has been found to be delinquent as  
21 determined by the policies adopted by the public entity regarding  
22 nonpayment, the governing body of the public entity providing sewer  
23 or waste water service to that property may request that the public  
24 entity providing water service terminate water service. Until the  
delinquency has been resolved, the governing body of the public

1 entity providing sewer or waste water service requesting the  
2 termination of water service shall provide a proposed date for  
3 termination and notice to the public entity providing water service,  
4 and to the account holder and property owner of the subject property  
5 at least thirty (30) days prior to the proposed date for  
6 termination. The public entity providing water service may  
7 terminate water service at the subject property on the proposed date  
8 for termination or within thirty (30) days thereafter. Should the  
9 sewer or waste water delinquency be resolved during the pendency of  
10 the termination of water service, or sometime thereafter, the public  
11 entity which requested termination of water service shall provide  
12 the public entity providing water service notice of the resolution  
13 of delinquency no later than the first business day following  
14 resolution. The public entity providing water service shall renew  
15 water service no later than the first business day following the  
16 notice. Should the sewer or waste water delinquency be resolved  
17 during the pendency of the termination of water service, or sometime  
18 thereafter, the public entity which requested termination of water  
19 service shall provide the account holder and the property owner  
20 notice of the resolution of the delinquency, upon request.

21 B. Each public entity desiring to utilize the termination  
22 provision authorized in subsection A of this section shall enact, in  
23 accordance to law and as required by this act, notice and hearing  
24 procedures to ensure account holders and property owners receive

1 adequate notice and opportunity for hearing prior to commencement of  
2 the procedures authorized in subsection A of this section.

3 SECTION 2. This act shall become effective November 1, 2016.

4 Passed the Senate the 10th day of March, 2016.

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Presiding Officer of the Senate

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8 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,

9 2016.

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Presiding Officer of the House  
of Representatives

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