

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 HOUSE BILL 2850

By: Kouplen

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6 AS INTRODUCED

7 An Act relating to oil and gas; amending 52 O.S.  
8 2011, Section 320.1, which relates to restriction on  
9 the location of habitable structures; specifying  
10 types of wells subject to restriction; changing  
11 habitable structure term; changing distances; setting  
12 minimum radius; defining term; clarifying waiver of  
13 setback provisions by a surface owner; and providing  
14 an effective date.

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

16 SECTION 1. AMENDATORY 52 O.S. 2011, Section 320.1, is  
17 amended to read as follows:

18 Section 320.1 A. After the effective date of this act, it  
19 shall be unlawful to locate ~~any habitable structure within:~~

20 1. ~~A The wellbore of an active vertically or horizontally~~  
21 ~~drilled oil or gas well within a radius of one hundred twenty-five~~  
22 ~~(125) one thousand (1,000) feet from the wellbore of an active well~~  
23 ~~any occupied structure; ~~or~~~~

24 2. ~~A radius of fifty (50) feet from the~~ The center of any  
surface equipment or other equipment necessary for the operation of

1 an active well, including, but not limited to, hydrocarbon and brine  
2 storage vessels, tanks, compressors, heaters, separators,  
3 dehydrators, or any other related equipment, within a radius of one  
4 hundred (100) feet from any occupied structure.

5 B. ~~Provided, however, the~~ For purposes of this section,  
6 "occupied structure" means any building or structure that requires a  
7 certificate of occupancy or building or structure intended for human  
8 occupancy, including homes, schools and hospitals.

9 C. The provisions of this section shall not prohibit an  
10 operator and surface owner from agreeing in writing to setback  
11 provisions with distances different from those set forth in this  
12 section. Provided, however, the surface owner may waive the setback  
13 provisions only with regard to an occupied structure located on the  
14 real property of the owner.

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

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17 55-2-8542 KB 12/21/15  
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