

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1029

By: Holt

4  
5 AS INTRODUCED

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  
exception; requiring municipalities to enact  
procedures to provide notice and hearing; providing  
for codification; and providing an effective date.

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

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

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

1 notice to the public entity providing water service and to the  
2 account holder and property owner of the subject property at least  
3 thirty (30) days prior to the proposed date for termination. The  
4 public entity providing water service may terminate water service at  
5 the subject property on the proposed date for termination or within  
6 thirty (30) days thereafter. Should the sewer or waste water  
7 delinquency be resolved during the pendency of the termination of  
8 water service, or sometime thereafter, the public entity which  
9 requested termination of water service shall provide the public  
10 entity providing water service notice of the resolution of  
11 delinquency. Should the sewer or waste water delinquency be  
12 resolved during the pendency of the termination of water service, or  
13 sometime thereafter, the public entity which requested termination  
14 of water service shall provide the account holder and the property  
15 owner notice of the resolution of the delinquency, upon request.

16 B. Each public entity desiring to utilize the termination  
17 provision authorized in subsection A of this section shall enact, in  
18 accordance to law and as required by this act, notice and hearing  
19 procedures to ensure account holders and property owners receive  
20 adequate notice and opportunity for hearing prior to termination of  
21 any service.

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