

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1242

By: Newberry

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5
6 AS INTRODUCED

7 An Act relating to waters and water rights; defining
8 certain state interests relating to water; stating
9 regulatory authority; defining terms; providing for
10 codification; and declaring an emergency.

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 1E of Title 82, unless there is
14 created a duplication in numbering, reads as follows:

15 A. Notwithstanding any other provision of law, the protection
16 of the beneficial uses of waters of the state is declared to be a
17 compelling state interest subject only to legislative authority and
18 the regulatory authority granted by the legislature to any state
19 agency assigned such responsibility within its respective areas of
20 jurisdiction as defined in Section 1-1-202 of Title 27A of the
21 Oklahoma Statutes.

22 B. For the purpose of this section:

23 1. "Waters of the state" means all streams, lakes, ponds,
24 marshes, watercourses, waterways, wells, springs, irrigation

1 systems, drainage systems and all other bodies or accumulations of
2 water, surface and underground, natural or artificial, public or
3 private, which are contained within, flow through or border upon
4 this state or any portion thereof; and

5 2. "Beneficial uses" means:

- 6 a. emergency water supply,
- 7 b. public and private water supply,
- 8 c. fish and wildlife propagation,
- 9 d. agriculture,
- 10 e. recreation,
- 11 f. navigation, and
- 12 g. aesthetics.

13 SECTION 2. It being immediately necessary for the preservation
14 of the public peace, health and safety, an emergency is hereby
15 declared to exist, by reason whereof this act shall take effect and
16 be in full force from and after its passage and approval.

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