

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1244

By: Smalley

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6 AS INTRODUCED

7 An Act relating to the Corporation Commission;
8 creating the "Landowner Partnership Act; directing
9 the Corporation Commission to study issues related to
10 wind energy development and adjacent landowners;
11 requiring Commission to determine appropriate
12 proceeds for affected landowners using certain
13 mapping system; requiring recommendations by certain
14 date; authorizing Commission to employ assistance;
15 providing certain laws to be applied prospectively;
16 providing for noncodification; and declaring an
17 emergency.

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

21 SECTION 1. NEW LAW A new section of law not to be
22 codified in the Oklahoma Statutes reads as follows:

23 The act shall be known and may be cited as the "Landowner
24 Partnership Act".

25 SECTION 2. NEW LAW A new section of law not to be
26 codified in the Oklahoma Statutes reads as follows:

27 A. The Corporation Commission is hereby directed to study the
28 issues as directed by this statute and make recommendations
29 necessary to implement a system whereby the monetary proceeds

1 benefitting landowners as a result of the installation of wind
2 energy facilities, as defined in Section 160.13 of Title 17 of the
3 Oklahoma Statutes, will be shared on an equitable basis with
4 adjacent landowners within a reasonable distance who are subject to
5 potential nuisances related to turbines and related equipment but
6 are currently uncompensated for diminished property value. The
7 Commission shall, pursuant to this act, determine the amount of
8 proceeds they feel is equitable to affected landowners, and what
9 constitutes a reasonable distance to adjacent landowners relative to
10 the location of wind energy facilities. To determine such amount
11 and distance, the Commission shall develop a system of mapping the
12 land of this state based on 640-acre tracts.

13 B. The Commission is authorized to employ any additional staff
14 or contract with any expert or legal counsel to assist it in
15 implementing the requirements of this act.

16 C. The Commission shall report its findings along with
17 legislative recommendations necessary to implement such provisions
18 no later than December 1, 2017. Any law or laws enacted as a result
19 of this section shall be prospective only and shall not apply to any
20 wind energy facility under construction or in operation prior to
21 enactment of such law or laws.

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

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