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April 1, 2015

ENGROSSED HOUSE

BILL NO. 2178

By: Hickman, McBride, Murdock
and Osborn of the House

and

Bingman and Marlatt of the
Senate

An Act relating to oil and gas; authorizing regulation by municipalities, counties and other political subdivisions of certain oil and gas operations and establishing setbacks; providing certain limitation; prohibiting certain regulations; making certain operations subject to jurisdiction and regulation of the Corporation Commission; repealing 52 O.S. 2011, Section 137, which relates to powers of cities and towns to regulate oil and gas drilling or production; providing for codification; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 137.1 of Title 52, unless there is created a duplication in numbering, reads as follows:

A municipality, county, or other political subdivision may enact reasonable ordinances, rules, and regulations concerning road use, traffic, noise, and odors incidental to oil and gas operations

1 within its boundaries, provided such ordinances, rules, and
2 regulations are not inconsistent with any regulation established by
3 Title 52 of the Oklahoma Statutes or the Corporation Commission. A
4 municipality, county, or other political subdivision may also
5 establish reasonable setbacks and fencing requirements for oil and
6 gas well site locations as are reasonably necessary to protect the
7 health, safety, and welfare of its citizens, but may not effectively
8 prohibit or ban any oil and gas operations, including oil and gas
9 exploration, drilling, fracture stimulation, completion, production,
10 maintenance, plugging and abandonment, produced water disposal,
11 secondary recovery operations, flow and gathering lines or pipeline
12 infrastructure. All other regulation of oil and gas operations
13 shall be subject to the exclusive jurisdiction of the Corporation
14 Commission.

15 SECTION 2. REPEALER 52 O.S. 2011, Section 137, is hereby
16 repealed.

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

21 COMMITTEE REPORT BY: COMMITTEE ON ENERGY
22 April 1, 2015 - DO PASS
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