

OKLAHOMA STATE SENATE
CONFERENCE
COMMITTEE REPORT

May 21, 2015

Mr. President:

Mr. Speaker:

The Conference Committee, to which was referred

SB 468

By: Marlatt of the Senate and Calvey of the House

Title: Oil and gas; prohibiting local regulation of certain oil and gas activities.
Emergency.

together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

advise that the conferees have been unable to agree.

Respectfully submitted,

SENATE CONFEREES


Marlatt


Fields


Bingman


Wyrick


Justice


Garrison


Griffin

HOUSE CONFEREES:

Conference Committee on Environmental Law

Senate Action _____ Date _____ House Action _____ Date _____

epc

1 ENGROSSED HOUSE AMENDMENT

2 TO

3 ENGROSSED SENATE BILL NO. 468

By: Marlatt of the Senate

and

Calvey of the House

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7 An Act relating to oil and gas; stating procedures
8 for taking private property by certain
9 municipalities, counties or political subdivisions
10 under certain conditions relating to oil and gas
11 operations; repealing 52 O.S. 2011, Section 137,
which relates to certain powers of cities and towns
relating to certain oil and gas exploration;
providing for codification; and declaring an
emergency.

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14 NOTE: Emergency not considered

15 AMENDMENT NO. 1. Page 1, lines 6 through 10, strike the title to
16 read

17 "[oil and gas - stating procedures for taking
18 private property by certain municipalities,
19 counties or political subdivisions relating to oil
20 and gas operations -
21 emergency]"

1 Passed the House of Representatives the 22nd day of April, 2015.

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4 Presiding Officer of the House of
Representatives

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6 Passed the Senate the ____ day of _____, 2015.

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9 Presiding Officer of the Senate

1 ENGROSSED SENATE
2 BILL NO. 468

By: Marlatt of the Senate

3 and

4 Calvey of the House
5

6 An Act relating to oil and gas; stating procedures
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which relates to certain powers of cities and towns
relating to certain oil and gas exploration;
providing for codification; and declaring an
emergency.

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

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 137.2 of Title 52, unless there
16 is created a duplication in numbering, reads as follows:

17 Whenever a municipality, county or other political subdivision,
18 other than the Corporation Commission, adopts or implements an
19 ordinance, resolution, rule, regulation or other form of official
20 policy concerning oil and gas operations that has the effect of: (1)
21 interfering with the use and enjoyment of the mineral estate, as
22 defined in Section 802 of Title 52 of the Oklahoma Statutes, (2)
23 imposing or enforcing a limitation that adversely impacts the use
24 and development of minerals by substantially increasing the costs of

1 the oil and gas operations, or thereby substantially reducing the
2 fair market value of the mineral estate, or (3) prohibiting access
3 to develop the mineral estate, it shall be considered a taking
4 pursuant to Article 2 of the Oklahoma Constitution and relevant
5 statutes. The provisions of this section shall not apply to any
6 ordinance, resolution, rule, regulation or other form of official
7 policy adopted or implemented prior to December 31, 2014.

8 SECTION 2. REPEALER 52 O.S. 2011, Section 137, is hereby
9 repealed.

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

14 Passed the Senate the 12th day of March, 2015.

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16 _____
17 Presiding Officer of the Senate

18 Passed the House of Representatives the ____ day of _____,
19 2015.

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21 _____
22 Presiding Officer of the House
23 of Representatives
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