

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

HOUSE BILL 1537

By: Dunnington

AS INTRODUCED

An Act relating to waters and water rights; making legislative findings; creating the Water for 2060 Revolving Fund; providing for deposit of revenues into fund; providing for expenditure of monies from fund; imposing requirements upon commercial irrigation systems; requiring metering of water flow; providing for penalty; providing for apportionment of revenues from penalty; imposing requirement on municipalities with respect to inclined block rate structures for water usage; providing for excessive water usage surcharge; providing for apportionment of monies to the Water for 2060 Revolving Fund; providing for codification; providing for noncodification; and providing an effective date.

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

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

The Legislature finds that water is necessary for the residents of the State of Oklahoma to enjoy a high quality of life. The demand for drinking water and water for other household and commercial uses is constantly increasing. Water conservation measures are critical for the State of Oklahoma to maintain its

1 access to water and to sustain the lives of its citizens. The
2 Legislature finds that municipalities are an important means for the
3 delivery of water and that the price for water usage by
4 municipalities can have a positive impact on water conservation
5 efforts. To encourage municipalities to implement inclined block
6 rate structures for the delivery of water to persons and business
7 enterprises located within municipal boundaries, the Legislature
8 finds that a system which creates incentives for water conservation
9 is desirable state public policy and is in furtherance of an
10 essential state government function. Water and water quality, while
11 affected by actions of many persons and entities at the local level,
12 are both matters of statewide public concern.

13 SECTION 2. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 2001 of Title 82, unless there
15 is created a duplication in numbering, reads as follows:

16 There is hereby created in the State Treasury a revolving fund
17 for the Oklahoma Water Resources Board to be designated the "Water
18 for 2060 Revolving Fund". The fund shall be a continuing fund, not
19 subject to fiscal year limitations, and shall consist of all monies
20 received by the Oklahoma Water Resources Board from such sources as
21 may be provided by law. All monies accruing to the credit of said
22 fund are hereby appropriated and may be budgeted and expended by the
23 Oklahoma Water Resources Board for the purpose of promoting
24 efficient water use by municipalities and residents of

1 municipalities. Expenditures from said fund shall be made upon
2 warrants issued by the State Treasurer against claims filed as
3 prescribed by law with the Director of the Office of Management and
4 Enterprise Services for approval and payment.

5 SECTION 3. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 2002 of Title 82, unless there
7 is created a duplication in numbering, reads as follows:

8 A. Effective November 1, 2017, any commercial irrigation system
9 shall be required to have accurate water metering as part of its
10 manufactured design or to allow metering by a device after its
11 manufacture that allows accurate water metering.

12 B. Operation of a commercial irrigation device in violation of
13 the requirements of this section shall subject the owner or, if the
14 device is leased, shall subject the operator of the commercial
15 irrigation device to a fine of not to exceed _____ Dollars
16 (\$0.00) per day for each day that the commercial irrigation device
17 is operated without the ability for accurate water metering.

18 C. All fines imposed pursuant to the provisions of this section
19 shall be deposited to the credit of the Water for 2060 Revolving
20 Fund created pursuant to Section 2 of this act.

21 SECTION 4. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 2003 of Title 82, unless there
23 is created a duplication in numbering, reads as follows:

1 A. Effective November 1, 2017, any municipality within the
2 state which implements an inclined block rate structure for use of
3 municipal water by persons, business entities and other users may
4 retain all revenues derived from the sale of water to each user
5 subject to a maximum of twenty-five thousand (25,000) gallons per
6 month.

7 B. Any municipal water user that uses more than twenty-five
8 thousand (25,000) gallons of water per month shall pay an excessive
9 water use surcharge to the Oklahoma Water Resources Board in the
10 amount of _____. Proceeds of the fine imposed pursuant to the
11 provisions of this subsection shall be apportioned to the Water for
12 2060 Revolving Fund created pursuant to Section 2 of this act.

13 SECTION 5. This act shall become effective November 1, 2017.

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