

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 HOUSE BILL 2195

By: Park

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5  
6 AS INTRODUCED

7 An Act relating to rural electric co-operative  
8 associations; prescribing standards for operating  
9 practices; providing for determination by district  
10 court; providing for judgment; providing for  
regulatory authority of the Oklahoma Corporation  
Commission; providing for codification; and providing  
an effective date.

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

15 SECTION 1. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 437.31 of Title 18, unless there  
17 is created a duplication in numbering, reads as follows:

18 A. A rural electric co-operative association shall be subject  
19 to the regulatory authority of the Oklahoma Corporation Commission  
20 if the association is found to have misused the process of eminent  
21 domain or if the association is found to have engaged in business  
22 practices inconsistent with its authority as described in its  
23 articles of organization or bylaws or inconsistent with statutory  
24 requirements imposed on the association or its activities.

1 B. An action for declaratory judgment may be filed in the  
2 district court for the county in which the rural electric co-  
3 operative association has its principal place of business or in the  
4 district court for the county in which the alleged violation of the  
5 standards described in subsection A of this section occurs.

6 C. Upon a finding by the district court of a repetitive  
7 violation of standards described by subsection A of this section,  
8 involving the misuse of the power of eminent domain or a repetitive  
9 violation of operational standards, the district court shall enter a  
10 judgment requiring the rural electric co-operative association to be  
11 subject to the regulatory authority of the Oklahoma Corporation  
12 Commission in the same manner provided by law for the regulation of  
13 a public service corporation.

14 D. The judgment provided for in subsection C of this section  
15 shall be a final judgment for purposes of any appeal.

16 SECTION 2. This act shall become effective November 1, 2017.

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