

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 1835 By: Bergstrom of the Senate
3 and
4 West (Josh) of the House
5
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7 [Oklahoma Water Resources Board - certain permit
8 holders receive certain reports and citations -
codification - effective date]
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11 AUTHOR: Add the following Senate Coauthor: Pederson

12 AMENDMENT NO. 1. Strike the stricken title, enacting clause, and
entire bill and insert:
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15 "An Act relating to the Oklahoma Water Resources
16 Board; requiring certain out of compliance entities
receive certain reports and citations; requiring
17 citation include certain items; requiring certain
report distribution; setting length of time for
18 certain response; requiring certain communication;
allowing for certain enforcement action; allowing
19 for certain administrative penalty; authorizing the
promulgation of certain rules; allowing for certain
20 permit revocation; providing for codification; and
providing an effective date.
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23 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
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1 SECTION 1. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 1091 of Title 82, unless there
3 is created a duplication in numbering, reads as follows:

4 A. On or after the effective date of this act, any holder of a
5 water use permit issued by the Oklahoma Water Resources Board that
6 is for a medical marijuana business or medical marijuana waste
7 disposal facility licensed by the Oklahoma Medical Marijuana
8 Authority and is found to be out of compliance with any statutory or
9 administrative rule requirement of the Oklahoma Water Resources
10 Board pursuant to a fact-finding investigation conducted by the
11 Board shall receive by either certified mail or electronic mail the
12 written report and a citation stating any necessary action or remedy
13 to be taken. The citation shall include any statutory requirements,
14 administrative rules, and regulations that the Board deems to have
15 been violated by the permit holder.

16 B. The Board shall by certified mail, return receipt requested,
17 or by electronic mail, read receipt requested, distribute the report
18 to the permit holder. The permit holder shall have fifteen (15)
19 days from the date that the report and citation are received to
20 respond. The Board shall communicate with the permit holder about
21 what is required to come into compliance. If the permit holder does
22 not initiate action to remedy the complaint within ninety (90) days
23 from the date that the report and citation are received, the Board
24 may take any enforcement action it deems necessary to bring the

1 permit holder into compliance. The Board may assess an
2 administrative penalty of up to Five Thousand Dollars (\$5,000.00)
3 per day of violation after a notice has been issued and an
4 opportunity for a hearing has been made available. The Board may
5 promulgate rules regarding legal actions which may be necessary to
6 bring a permit holder into compliance. Failure to come into
7 compliance may result in a revocation by the Board of the water
8 permit at issue.

9 SECTION 2. This act shall become effective November 1, 2022."

10 Passed the House of Representatives the 27th day of April, 2022.

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13 _____
Presiding Officer of the House of
Representatives
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15 Passed the Senate the ____ day of _____, 2022.

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Presiding Officer of the Senate
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1 ENGROSSED SENATE
2 BILL NO. 1835

By: Bergstrom of the Senate

3 and

4 West (Josh) of the House

5
6 [Oklahoma Water Resources Board - certain permit
7 holders receive certain reports and citations -
8 codification - effective date]
9

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

11 SECTION 3. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 1091 of Title 82, unless there
13 is created a duplication in numbering, reads as follows:

14 A. On or after the effective date of this act, any holder of a
15 water use permit issued by the Oklahoma Water Resources Board that
16 is for a medical marijuana business or medical marijuana waste
17 disposal facility licensed by the Oklahoma Medical Marijuana
18 Authority and is found to be out of compliance with any statutory or
19 administrative rule requirement of the Oklahoma Water Resources
20 Board pursuant to a fact-finding investigation conducted by the
21 Board, shall receive by either certified mail or electronic mail the
22 written report and a citation stating any necessary action or remedy
23 to be taken. The citation shall include any statutory requirements,
24

1 administrative rules, and regulations that the Board deems to have
2 been violated by the permit holder.

3 B. The Board shall by certified mail, return receipt requested,
4 or by electronic mail, read receipt requested, distribute the report
5 to the permit holder. The permit holder shall have fifteen (15)
6 days from the date that the report and citation are received to
7 respond. The Board shall communicate with the permit holder about
8 what is required to come into compliance. If the permit holder does
9 not initiate action to remedy the complaint within ninety (90) days
10 from the date that the report and citation are received, the Board
11 may take any enforcement action it deems necessary to bring the
12 permit holder into compliance. The Board may assess an
13 administrative penalty of up to Five Thousand Dollars (\$5,000.00)
14 per day of violation after a notice has been issued and an
15 opportunity for a hearing has been made available. The Board may
16 promulgate rules regarding legal actions which may be necessary to
17 bring a permit holder into compliance. Failure to come into
18 compliance may result in a revocation by the Board of the water
19 permit at issue.

20 SECTION 4. This act shall become effective November 1, 2022.
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1 Passed the Senate the 23rd day of March, 2022.

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3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2022.

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8 _____
9 Presiding Officer of the House
10 of Representatives