

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

SENATE BILL NO. 1835

By: Bergstrom of the Senate

5 and

6 West (Josh) of the House

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9 COMMITTEE SUBSTITUTE

10 An Act relating to the Oklahoma Water Resources
11 Board; requiring certain out of compliance entities
12 receive certain reports and citations; requiring
13 citation include certain items; requiring certain
14 report distribution; setting length of time for
15 certain response; requiring certain communication;
allowing for certain enforcement action; allowing for
certain administrative penalty; authorizing the
promulgation of certain rules; allowing for certain
permit revocation; providing for codification; and
providing an effective date.

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

19 SECTION 1. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 1091 of Title 82, unless there
21 is created a duplication in numbering, reads as follows:

22 A. On or after the effective date of this act, any holder of a
23 water use permit issued by the Oklahoma Water Resources Board that
24 is for a medical marijuana business or medical marijuana waste

1 disposal facility licensed by the Oklahoma Medical Marijuana
2 Authority and is found to be out of compliance with any statutory or
3 administrative rule requirement of the Oklahoma Water Resources
4 Board pursuant to a fact-finding investigation conducted by the
5 Board, shall receive by either certified mail or electronic mail the
6 written report and a citation stating any necessary action or remedy
7 to be taken. The citation shall include any statutory requirements,
8 administrative rules, and regulations that the Board deems to have
9 been violated by the permit holder.

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

1 compliance may result in a revocation by the Board of the water
2 permit at issue.

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

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