

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

☒ FLOOR AMENDMENT

No. 1

☐ COMMITTEE AMENDMENT


(Date)

I move to amend Senate Bill No. 1585 by substituting the attached floor substitute (Request #3709) for the title, enacting clause and entire body of the measure.

Submitted by:

Senator Bullard

I hereby grant permission for the floor substitute to be adopted.


Senator Allen, Chair (required)

Senator Jacob

Senator Taylor

Senator Merrick

Senator Boren

Senator Mandelock

Senator Bullard

Senator Quinn

Senator Daniels

Senator Rader

Senator David

Senator Standridge

Senator Hicks

Senator Treat, President Pro Tempore

Senator McCortney, Majority Floor
Leader

Note: Energy committee majority requires seven (7) members' signatures.

Bullard-RJ-FA-SB1585
3/7/2022 2:47 PM

(Floor Amendments Only)

Date and Time Filed:

3-8-22

3:22 PM

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

FLOOR SUBSTITUTE
FOR

SENATE BILL NO. 1585

By: Bullard and Burns of the
Senate

and

Dempsey and Humphrey of the
House

FLOOR SUBSTITUTE

An Act relating to water and water rights; defining term; creating a heritage river designation; providing for the Oklahoma Water Resources Board to provide certain designation; establishing protections for heritage rivers against certain uses; prohibiting water sale and transfer from a heritage river; providing the Oklahoma Water Resources Board authority over the provisions and protections of a heritage river; maintaining certain existing practices along heritage rivers; protecting certain property rights for landowners adjacent to a heritage river; providing for codification; 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 to be codified in the Oklahoma Statutes as Section 897 of Title 82, unless there is created a duplication in numbering, reads as follows:

1 A. As used in this section, "heritage river" means any river or
2 stream that has maintained a free-flowing and undammed status for
3 all of Oklahoma's statehood.

4 B. A heritage river, having been free-flowing and undammed
5 since Oklahoma's statehood, possesses natural elements such as
6 water, fish, wildlife, and outdoor recreational values of present
7 and future benefit to the people of the state. For this purpose,
8 the Glover River in McCurtain County shall be designated a heritage
9 river.

10 C. On or after the effective date of this act, any river
11 designated as a heritage river pursuant to this act shall not be
12 impounded by any large dam or structure for industrial purposes and
13 no entity shall sell or transfer water from any heritage river.

14 D. The Oklahoma Water Resources Board shall have authority over
15 the provisions of this act and shall promulgate rules.

16 1. The Oklahoma Water Resources Board shall:

- 17 a. prepare, adopt, and publish management plans and other
18 documents to guide public and private activities and
19 programs,
- 20 b. consider and comment on public and private practices
21 and proposed actions that may affect a heritage river,
22 and

1 c. recommend standards for local government agencies
2 whose political boundaries include all or part of a
3 heritage river; and

4 2. The Oklahoma Water Resources Board may:

5 a. own and control public access points for a heritage
6 river, and purchase easements and fee title to land
7 along a heritage river for public purposes which are
8 to be held by the Board as an agency of this state,
9 and

10 b. identify public and private nuisances that adversely
11 affect a heritage river and take lawful action to
12 abate nuisances.

13 E. 1. Nothing in this act shall be construed to unduly
14 restrict or adversely affect the use of property within any heritage
15 river basin for farming, ranching, forestry, silviculture, and other
16 agricultural uses if such uses are not inconsistent with the
17 purposes of this act. Present farming, ranching, forestry,
18 silviculture, and other agricultural uses and practices shall be
19 exempt from the provisions of this act.

20 2. The provisions of this act shall not be construed to affect
21 existing rights between a landowner and a utility or pipeline
22 company.

23 3. The property rights of private landowners adjacent to a
24 heritage river shall be the same as in any other area of the state.

1 The unauthorized use of private property shall be deemed trespassing
2 and subject to the penalties provided for such an offense.

3 4. Nothing in this act shall be construed to restrict public
4 recreational uses of a heritage river.

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

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7 58-2-3709 RJ 3/8/2022 6:33:46 PM

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