

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               2nd Session of the 58th Legislature (2022)

4 COMMITTEE SUBSTITUTE  
5 FOR ENGROSSED  
6 SENATE BILL NO. 1835

By: Bergstrom and **Pederson** of  
the Senate

and

West (Josh) of the House

10                               COMMITTEE SUBSTITUTE

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

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

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

26           A. On or after the effective date of this act, any holder of a  
27           water use permit issued by the Oklahoma Water Resources Board that

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

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

1 bring a permit holder into compliance. Failure to come into  
2 compliance may result in a revocation by the Board of the water  
3 permit at issue.

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

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6 COMMITTEE REPORT BY: COMMITTEE ON ENERGY AND NATURAL RESOURCES,  
7 dated 04/07/2022 - DO PASS, As Amended and Coauthored.  
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