1	SENATE FLOOR VERSION March 3, 2022
2	
3	COMMITTEE SUBSTITUTE FOR
4	SENATE BILL NO. 1585 By: Bullard and Burns of the Senate
5	and
6	
7	Dempsey and Humphrey of the House
8	
9	
10	An Act relating to water and water rights; creating the Charlette Hearne Heritage River Act; defining
11	term; creating a heritage river designation; providing for the Oklahoma Water Resources Board to
12	provide certain designation; establishing protections for heritage rivers against certain uses; prohibiting
13	water sale and transfer from a heritage river; providing the Oklahoma Water Resources Board
14	authority over the provisions and protections of a heritage river; maintaining certain existing
15	practices along heritage rivers; protecting certain property rights for landowners adjacent to a heritage
16	river; providing for codification; and providing an effective date.
17	
18	
19	BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
20	SECTION 1. NEW LAW A new section of law to be codified
21	in the Oklahoma Statutes as Section 897 of Title 82, unless there is
22	created a duplication in numbering, reads as follows:
23	This act shall be known and may be cited as the "Charlette
24	Hearne Heritage River Act".

SENATE FLOOR VERSION - SB1585 SFLR (Bold face denotes Committee Amendments) Page 1

SECTION 2. NEW LAW A new section of law to be codified
 in the Oklahoma Statutes as Section 898 of Title 82, unless there is
 created a duplication in numbering, reads as follows:

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

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

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

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

Prepare, adopt, and publish management plans and other
 documents to guide public and private activities and programs;

22 2. Consider and comment on public and private practices and
 23 proposed actions that may affect a heritage river;

24

SENATE FLOOR VERSION - SB1585 SFLR (Bold face denotes Committee Amendments) Page 2

Recommend standards for local government agencies whose
 political boundaries include all or part of a heritage river;

4. Own and control public access points for a heritage river,
and purchase easements and fee title to land along a heritage river
for public purposes which are to be held by the Board as an agency
of this state; and

7 5. Identify public and private nuisances that adversely affect
8 a heritage river and take lawful action to abate nuisances.

9 E. 1. Nothing in this act shall be construed to unduly 10 restrict or adversely affect the use of property within any heritage 11 river basin for farming, ranching, forestry, silviculture, and other 12 agricultural uses if such uses are not inconsistent with the 13 purposes of this act. Present farming, ranching, forestry, 14 silviculture, and other agricultural uses and practices shall be 15 exempt from the provisions of this act.

16 2. The provisions of this act shall not be construed to affect 17 existing rights between a landowner and a utility or pipeline 18 company.

The property rights of private landowners adjacent to a
 heritage river shall be the same as in any other area of the state.
 The unauthorized use of private property shall be deemed trespassing
 and subject to the penalties provided for such an offense.

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

SENATE FLOOR VERSION - SB1585 SFLR (Bold face denotes Committee Amendments) Page 3

1	SECTION 3. This act shall become effective November 1, 2022.
2	COMMITTEE REPORT BY: COMMITTEE ON ENERGY March 3, 2022 - DO PASS AS AMENDED
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	