

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1588

By: Bullard

4  
5  
6 AS INTRODUCED

7 An Act relating to water and water rights; creating  
8 the Oklahoma Water Economic Impact Study Act;  
9 defining terms; creating the Oklahoma Water Economic  
10 Impact Study Fund; stating purpose of fund; making  
11 fund continuing and nonfiscal; stating sources of  
12 revenue; establishing procedures of expenditures of  
13 monies accruing to the credit of the fund;  
14 authorizing the Oklahoma Water Resources Board to  
15 conduct instream flow studies upon certain agreement;  
16 requiring studies to include certain information and  
17 recommendations; requiring certain cooperation in  
18 conduction of studies; requiring submission of  
19 completed study to certain entities; requiring  
20 promulgation of rules by Oklahoma Water Resources  
21 Board; requiring certain legislative appropriation;  
22 providing for codification; and providing an  
23 effective date.

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

25 SECTION 1. NEW LAW A new section of law to be codified  
26 in the Oklahoma Statutes as Section 1702 of Title 82, unless there  
27 is created a duplication in numbering, reads as follows:

28 A. This act shall be known and may be cited as the "Oklahoma  
29 Water Economic Impact Study Act".

30 B. As used in this section:

1 1. "Instream flow" means the water flow required to maintain  
2 the functions and resilience of freshwater stream systems and the  
3 needs of communities that depend on the healthy ecosystems; and

4 2. "Instream flow study" means a study to develop the instream  
5 flow determinations and biological assessments needed to maintain  
6 instream flows and support a sound ecological environment.

7 C. There is hereby created in the State Treasury a revolving  
8 fund for the Oklahoma Water Resources Board to be designated the  
9 "Oklahoma Water Economic Impact Study Fund" for the purpose of  
10 conducting instream flow studies. The revolving fund shall be a  
11 continuing fund, not subject to fiscal year limitations, and shall  
12 consist of all monies received by the Oklahoma Water Resources Board  
13 from the appropriations, apportionments, donations, federal grants,  
14 and fee revenues designated for the purposes of implementing the  
15 provisions of this act. All monies accruing to the credit of the  
16 fund may be budgeted and expended by the Secretary of Energy and  
17 Environment, in agreement with the Executive Director of the  
18 Oklahoma Water Resources Board, the Executive Director of the  
19 Department of Wildlife Conservation, the Secretary of Agriculture,  
20 and the Secretary of Commerce. Expenditures from the fund shall be  
21 made upon warrants issued by the State Treasurer against claims  
22 filed as prescribed by law with the Director of the Office of  
23 Management and Enterprise Services for approval and payment.

1 D. Upon agreement of the Secretary of Energy and Environment,  
2 the Executive Director of the Oklahoma Water Resources Board, the  
3 Executive Director of the Department of Wildlife Conservation, the  
4 Secretary of Agriculture, and the Secretary of Commerce, the Board  
5 may conduct an instream flow study on any body of water agreed upon  
6 by the entities to enable the protection, conservation, recreational  
7 use, and economic development of water resources and to protect the  
8 rights of the citizens of this state to use water for riparian and  
9 domestic use, as authorized pursuant to Section 105.2 of Title 82 of  
10 the Oklahoma Statutes. Such study shall include the identification  
11 of the methodology and metric to be measured by the instream flow  
12 study and any biological assessments that are to be made during the  
13 study, and shall include recommendations for the completion of  
14 instream flow determinations in the body of water that is the  
15 subject of the study.

16 E. The Oklahoma Water Resources Board shall work in cooperation  
17 with the Department of Commerce to conduct an instream flow study  
18 required pursuant to this section. A final copy of the completed  
19 instream flow study shall be submitted to the Governor, the  
20 President Pro Tempore of the Senate, the Speaker of the House of  
21 Representatives, the Secretary of Energy and Environment, and the  
22 Department of Wildlife Conservation. The Oklahoma Water Resources  
23 Board shall promulgate rules to implement the provisions of this  
24 act.

1 SECTION 2. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 1703 of Title 82, unless there  
3 is created a duplication in numbering, reads as follows:

4 There is hereby appropriated to the Oklahoma Water Resources  
5 Board any monies not otherwise appropriated from the General Revenue  
6 Fund of the State Treasury for the fiscal year ending June 30, 2023,  
7 the sum of Three Million Dollars (\$3,000,000.00) to transfer to the  
8 Oklahoma Water Economic Impact Study Fund created pursuant to  
9 Section 1 of this act.

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

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