

# SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION

☒ FLOOR AMENDMENT

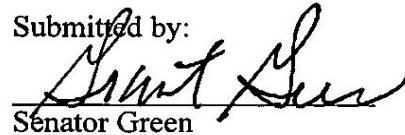
No. 1

☐ COMMITTEE AMENDMENT

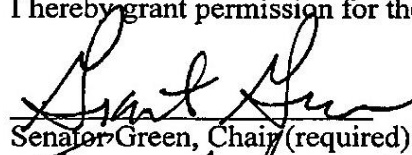
(Date)

I move to amend House Bill No. 2155 by substituting the attached floor substitute (Request No. 2114) for the title, enacting clause and entire body of the measure.

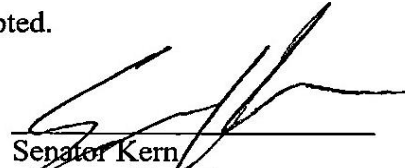
Submitted by:

  
Senator Green

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

  
Senator Green, Chair (required)

  
Senator Woods

  
Senator Kern

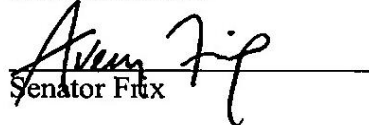
  
Senator McIntosh

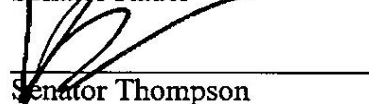
\_\_\_\_\_  
Senator Boren

\_\_\_\_\_  
Senator Murdock

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Senator Dossett

\_\_\_\_\_  
Senator Rader

  
Senator Frix

  
Senator Thompson

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Senator Jett


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Senator Paxton, President Pro Tempore

\_\_\_\_\_  
Senator Daniels, Majority Floor Leader

Note: Energy committee majority requires six (6) members' signatures.

Green-RD-FS-HB2155  
5/7/2025 4:18 PM

(Floor Amendments Only)

Date and Time Filed: 5-7-25 5:32pm 

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

FLOOR SUBSTITUTE  
FOR ENGROSSED

HOUSE BILL NO. 2155

By: Dobrinski and Waldron of  
the House

and

Green of the Senate

FLOOR SUBSTITUTE

[ Corporation Commission - Renewable Energy Facility  
Act - rules - facility operators - penalties - permit  
- filing fee - codification -  
emergency ]

~~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 810 of Title 17, unless there is  
created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Renewable  
Energy Facility Act".

SECTION 2. NEW LAW A new section of law to be codified  
in the Oklahoma Statutes as Section 811 of Title 17, unless there is  
created a duplication in numbering, reads as follows:

As used in the Renewable Energy Facility Act:

1        1. "Adjacent owner" means the landowner or landowners of record  
2 of the surface estate and owners or holders of the mineral estate  
3 within a half-mile radius of the outer boundary of any energy  
4 facility;

5        2. "Commence" means beginning construction of an energy  
6 facility;

7        3. "Commission" means the Corporation Commission;

8        4. "Energy facility" means the commencement, operation, or  
9 maintenance of a facility for a renewable energy source including  
10 wind energy, solar energy, battery storage, hydrogen energy, or  
11 other renewable energy source, but shall not include transmission or  
12 distribution lines providing services to the facility;

13       5. "Facility operator" or "applicant" means a person or entity  
14 who is the owner of the right to commence, operate, or maintain an  
15 energy facility;

16       6. "Mineral estate" means ownership or interests in a mineral  
17 estate as defined under Section 802 of Title 52 of the Oklahoma  
18 Statutes;

19       7. "Mineral owner" means an owner or holder of certain rights  
20 of the mineral estate, as defined under Section 802 of Title 52 of  
21 the Oklahoma Statutes, of the property upon which an energy facility  
22 is to be commenced, operated, and maintained based upon the records  
23 of the county clerk of the county within which the mineral estate  
24 lies;

1        8. "Permit" means a form prescribed by the Commission for an  
2 energy facility;

3        9. "Rural electric cooperative" means an entity as described  
4 under Sections 437.1 and 437.23 of Title 18 of the Oklahoma Statutes  
5 deemed to be duly registered with the Commission;

6        10. "Surface estate" means, as to any lands within this state,  
7 the fee simple or absolute fee ownership of a tract of real  
8 property, as defined under Sections 5 and 23 of Title 60 of the  
9 Oklahoma Statutes, less and excluding the mineral estate; and

10       11. "Surface owner" means the landowner or landowners of record  
11 of the surface estate of the real property upon which the energy  
12 facility is to be commenced, operated, and maintained, based upon  
13 the records of the county clerk of the county within which the  
14 surface estate is actually located.

15       SECTION 3.       NEW LAW       A new section of law to be codified  
16 in the Oklahoma Statutes as Section 812 of Title 17, unless there is  
17 created a duplication in numbering, reads as follows:

18       A. The Corporation Commission is directed and authorized to  
19 promulgate rules governing the operations for energy facilities for  
20 the purpose of protecting the interests and property of the citizens  
21 of this state.

22       B. Any facility operator desiring to commence any energy  
23 facility in this state shall, prior to commencing any such activity:  
24

1        1. Be duly registered with or under the jurisdiction of the  
2 Commission;

3        2. Provide a form of financial security which meets the  
4 provisions of Section 160.15 of Title 17 of the Oklahoma Statutes,  
5 for wind energy facilities, or provide a form of financial security,  
6 in the form and amount to be determined by the Commission, as  
7 applicable for other energy facilities, which shall remain in effect  
8 until release is authorized by the Commission; and

9        3. Obtain an approved permit from the Commission.

10       Rural electric cooperatives shall submit permits as described  
11 herein, but nothing in this act shall be construed to alter or amend  
12 the provisions of Section 158.27 of Title 17 of the Oklahoma  
13 Statutes.

14       C. Rules promulgated by the Commission governing all energy  
15 facility operations shall include, but not be limited to,  
16 requirements for:

17       1. A permit containing:

18           a. the name, address, and contact information of the  
19           facility operator, including a named representative of  
20           the facility operator and a telephone number and  
21           electronic mail address, and emergency contact  
22           information for each such representative,  
23  
24

- b. a legal description of the energy facility, including the gross acreage utilized and actual size of the energy facility,
- c. an attestation that insurance with coverage limits consistent with prevailing industry standards shall be obtained and kept in effect or an attestation that the provisions of Section 160.19 of Title 17 of the Oklahoma Statutes, if applicable, have been complied with,
- d. a list of the sources of water used at the energy facility, if any,
- e. an attestation that the facility operator has current safety and environmental plans in place, including the methods for disposal of waste, chemicals, and other substances, if any, during the life of the facility and that it will provide such plans to authorized state, regional, and local emergency personnel, if requested,
- f. an attestation that prior to abandonment or decommission, the facility operator shall notify the Commission at least thirty (30) days in advance,
- g. an attestation that a decommission plan shall be provided to the Commission, the Department of Environmental Quality, and any other agencies, if

1 requested, and if applicable, such decommission plan  
2 shall comply with the provisions of Section 160.14 of  
3 Title 17 of the Oklahoma Statutes, and

4 h. a list of the names and addresses for all surface,  
5 mineral, and adjacent owners notified in accordance  
6 with paragraph 2 of this subsection;

7 2. An applicant, other than an applicant for a wind energy  
8 facility, to notify all surface, mineral, and adjacent owners where  
9 the energy facility shall be located at least sixty (60) days prior  
10 to commencement of any energy facility by U.S. mail. If the  
11 applicant has the right to commence an energy facility and has  
12 attempted to give actual notice of intent to commence the energy  
13 facility to the owners noted herein, any time prior to sixty (60)  
14 days of commencing the energy facility, such action shall be  
15 considered sufficient notification for the purposes of this section.  
16 For the purposes of this section, an attempt to notify shall be  
17 considered sufficient when the notice is sent by U.S. mail, is  
18 postmarked at least sixty (60) days prior to commencement of any  
19 energy facility, and has been given at the last address shown of  
20 record for any such owners in the records of the county clerk in the  
21 county where the owners' lands are located, or at an address that is  
22 verified by an applicant to be more accurate than the foregoing  
23 address of record;

1        3. An applicant to file an affidavit, if applicable, within  
2 ninety (90) days of the last mailing of the notice described herein  
3 with the county clerk in the county where the lands are located,  
4 setting out that mailing of the notice has occurred in compliance  
5 with this section, and specifically listing the owners which were  
6 not locatable at the required addresses;

7        4. A facility operator to obtain an additional permit for any  
8 extension, rebuild, or upgrade of the initial energy facility; and

9        5. Any other pertinent and relevant information requested by  
10 the Commission for the protection of surface, mineral, and adjacent  
11 owners to be timely provided by the facility operator.

12        D. The Commission is further directed to promulgate rules to  
13 implement a system to register complaints against any facility  
14 operator. The Commission may determine if and when a complaint has  
15 been adequately resolved.

16        E. Any facility operator which commences any energy facility  
17 without an approved permit by the Commission, or in any other manner  
18 violates the rules of the Commission governing such energy facility,  
19 shall be subject to a penalty of One Thousand Five Hundred Dollars  
20 (\$1,500.00) per violation per day by the Commission, in addition to  
21 any other legal remedy provided by law.

22        F. In order for facility operators to expand operations on any  
23 preexisting, operating, or under-construction energy facilities, a  
24 permit shall be obtained from the Commission. No facility operator



1 shall be subject to the notice requirements of this section unless  
2 such preexisting, operating, or under-construction energy facility  
3 is subsequently expanded or enlarged.

4 G. The Commission is authorized to assess a filing fee for any  
5 permit required under this section on a per acre, per turbine, or  
6 per mega-watt output or any other basis the Commission deems  
7 appropriate, in an amount not to exceed Forty Thousand Dollars  
8 (\$40,000.00) per permit. The Commission is authorized to adopt  
9 emergency rules in order to effectuate the provisions of this act.

10 SECTION 4. It being immediately necessary for the preservation  
11 of the public peace, health or safety, an emergency is hereby  
12 declared to exist, by reason whereof this act shall take effect and  
13 be in full force from and after its passage and approval.

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15 60-1-2114 RD 5/7/2025 5:48:05 PM  
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