

SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION

☒ FLOOR AMENDMENT

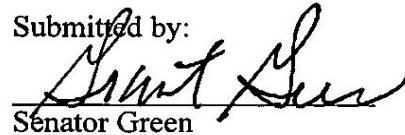
No. 1

☐ COMMITTEE AMENDMENT

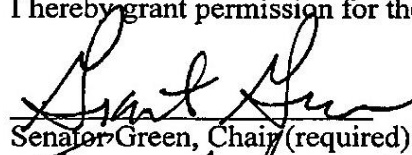
(Date)

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.

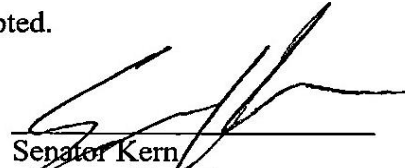
Submitted by:


Senator Green

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


Senator Green, Chair (required)


Senator Woods

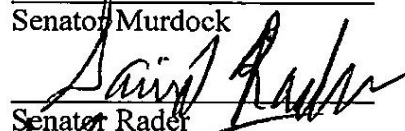

Senator Kern

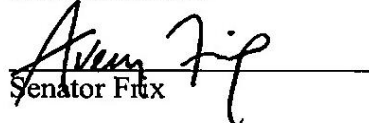

Senator McIntosh

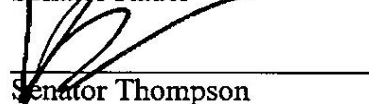
Senator Boren

Senator Murdock

Senator Dossett


Senator Rader


Senator Frix


Senator Thompson

Senator Jett

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,
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- 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 5:56:20 PM

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