

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

HOUSE BILL 3394

By: Clinton

AS INTRODUCED

An Act relating to hyperscale data centers; creating the Oklahoma Hyperscale Data Center Directory Act; providing definitions; directing the Oklahoma Corporation Commission to establish and maintain a hyperscale data center directory; providing required contents of directory; requiring annual publication of directory on Corporation Commission's website; directing electrical utilities to report certain information about hyperscale data center energy use; directing water providers to report certain information about hyperscale data center water use; permitting the Corporation Commission to request verification of reports; requiring Corporation Commission to protect proprietary and critical infrastructure information; clarifying non-confidential aggregated and facility-level data be publicly available; granting the Corporation Commission rule-making and enforcement authority; establishing that noncompliance will result in penalties; providing for codification; and providing an effective date.

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

1 This act shall be known and may be cited as the "Oklahoma
2 Hyperscale Data Center Directory Act".

3 SECTION 2. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 711.2 of Title 17, unless there
5 is created a duplication in numbering, reads as follows:

6 As used in this act:

7 1. "Annual electric usage" means total electrical energy
8 consumed over a calendar year reported in megawatt-hours (MWh);

9 2. "Annual water usage" means total water withdrawn or
10 delivered to a facility over a calendar year reported in gallons;

11 3. "Corporation Commission" means the Oklahoma Corporation
12 Commission;

13 4. "Directory" means the hyperscale data center directory
14 established under Section 3 of this act;

15 5. "Electric utility" means any investor-owned, municipally
16 owned, or cooperative electric utility providing electricity to a
17 hyperscale data center facility in Oklahoma;

18 6. "Hyperscale data center" means a large-scale data center
19 facility primarily engaged in information technology operations
20 designed for scalability and redundancy, with a total conditioned
21 space of at least fifty thousand (50,000) square feet and expected
22 annual electric usage of at least ten thousand (10,000) megawatt
23 hours (MWh). Facilities that house cloud computing, distributed
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1 computing, or massive server clusters for commercial use fall under
2 this definition;

3 7. "Peak electrical load" means the highest level of electrical
4 demand in megawatts (MW) for a reporting period; and

5 8. "Water provider" means any municipal water system, rural
6 water district, wholesale water supplier, or private water utility
7 serving a hyperscale data center facility in Oklahoma.

8 SECTION 3. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 711.3 of Title 17, unless there
10 is created a duplication in numbering, reads as follows:

11 A. The Oklahoma Corporation Commission shall establish and
12 maintain a hyperscale data center directory that includes the
13 following data for each hyperscale data center facility located in
14 Oklahoma:

15 1. Company name;

16 2. Facility location:

17 a. city and county, and

18 b. street address or other specific address if publicly
19 available;

20 3. Annual electric usage in megawatt-hours (MWh);

21 4. Peak electrical load in megawatt-hours (MWh);

22 5. Annual water usage in gallons; and

23 6. Water source:

24 a. municipal supply,

- b. groundwater (with aquifer identified, if permitted),
- c. surface water,
- d. reclaimed water, or
- e. other specified source.

B. The directory shall be published annually on the Corporation Commission's website in a format that is accessible to the public.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 711.4 of Title 17, unless there is created a duplication in numbering, reads as follows:

A. Each electric utility providing service to a hyperscale data center in Oklahoma shall report to the Oklahoma Corporation Commission annually:

- 1. The facility's total annual electric usage in megawatt-hours (MWh) for the prior calendar year; and
- 2. Peak electrical load in megawatt-hours (MWh) recorded during the prior calendar year.

Reports are due by April 1 of each year for the previous calendar year.

B. Each water provider supplying a hyperscale data center facility shall report to the Corporation Commission annually:

- 1. The facility's total annual water usage in gallons for the prior calendar year; and
- 2. The primary water source category.

1 Reports are due by April 1 of each year for the previous
2 calendar year.

3 C. The Corporation Commission may request verification from the
4 hyperscale data center facility if discrepancies are identified
5 between utility-reported data and facility operations.

6 SECTION 5. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 711.5 of Title 17, unless there
8 is created a duplication in numbering, reads as follows:

9 A. To the extent required by state or federal law, the Oklahoma
10 Corporation Commission shall protect proprietary and critical
11 infrastructure information from public disclosure, including
12 specific address data if demonstrated to pose security concerns.

13 B. Aggregated and facility-level directory data that is not
14 confidential shall be publicly accessible.

15 SECTION 6. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 711.6 of Title 17, unless there
17 is created a duplication in numbering, reads as follows:

18 A. The Oklahoma Corporation Commission shall adopt any rules
19 necessary to implement and administer this act.

20 B. The Corporation Commission may enforce this act through
21 rules and procedures consistent with its regulatory authority,
22 including the imposition of administrative penalties for
23 noncompliance with reporting requirements.

1 C. Failure to file required reports or the filing of false
2 information shall subject the reporting entity to penalties as
3 established by rule of the Corporation Commission.

4 SECTION 7. This act shall become effective November 1, 2026.

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