

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 HOUSE BILL 3843

By: Gann

6 AS INTRODUCED

7 An Act relating to waters and water rights; amending
8 82 O.S. 2021, Section 1324.9, which relates to board
as governing body; modifying list of records to be
9 entered; requiring board maintain records in
accordance with the Oklahoma Open Records Act;
10 requiring certain website posting; amending 82 O.S.
2021, Section 1324.18, which relates to duty of
11 chairman; requiring certain guidelines be followed;
and providing an effective date.

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

15 SECTION 1. AMENDATORY 82 O.S. 2021, Section 1324.9, is
16 amended to read as follows:

17 Section 1324.9. A. The board shall be the governing body of
18 the district and shall meet annually on a date prescribed by the
19 bylaws and at such other times as may be determined by the board or
20 upon call by the chair or any two members of the board. Vacancies
21 on the board shall be filled for the unexpired term, and until such
22 appointee's successor is elected and has qualified, by appointment
23 by the remaining members of the board. The board shall adopt such
24 rules in conformity with the provisions of this act and the bylaws

1 of the district as are deemed necessary for the conduct of the
2 business of the district. It shall be the duty of the secretary to
3 cause an entry to be made upon its records showing all of its
4 minutes, agendas, decisions, and orders made pursuant to the
5 provisions of this act. The board shall maintain its records
6 pursuant to the Oklahoma Open Records Act, except those records
7 which are considered private or confidential, and shall post such
8 records on the water district's website if it has one.

9 B. The district shall have the power to charge an amount, as
10 determined by the board and approved by the members of the district,
11 not to exceed ten cents (\$0.10) per one thousand (1,000) gallons of
12 water sold, to be included in the water rates for the district and
13 paid by the retail water consumers of the district. The charge
14 shall be approved by a majority vote of the participating members of
15 the district who are present at a regular or special meeting, for
16 which public notice has been given and the issue is on the agenda
17 and presented for a vote. The public notice of the meeting and
18 election shall state the amount of the proposed fee, the intended
19 purpose of the fee, and the entity or entities which will receive
20 the monies. If approved, the board shall distribute the monies
21 received from the charge to any entity or entities, except for any
22 entity that has statutory or regulatory authority over any aspect of
23 the district, selected by the board for purposes that will assist or
24 aid the board in the performance of its duties for the district and

1 which will benefit the area within the district or the members of
2 the district.

3 SECTION 2. AMENDATORY 82 O.S. 2021, Section 1324.18, is
4 amended to read as follows:

5 Section 1324.18. A. It shall be the duty of the chairman of
6 the board of directors to keep in repair such works as are
7 constructed by the district and to operate such works, all as
8 directed by said board. The chairman and all persons who may
9 perform any service or labor as provided herein shall be paid such
10 just and reasonable compensation as may be allowed by the board of
11 directors and said board shall annually prepare an estimated budget
12 for the coming year, adjust rates, if necessary to produce
13 sufficient revenue required by such budget. In performing such
14 duties, the chairman shall follow guidelines set by the Office of
15 Management and Enterprise Services.

16 B. 1. The board of directors of each district with a gross
17 operating revenue of Fifty Thousand Dollars (\$50,000.00) or more
18 during a fiscal year shall cause to be prepared, by an independent
19 licensed public accountant or a certified public accountant, an
20 annual financial audit in accordance with generally accepted
21 auditing standards as of the end of each fiscal year. Copies shall
22 be filed with the State Auditor and Inspector within six (6) months
23 after the close of the fiscal year.

1 2. The board of directors of each district with a gross
2 operating revenue of less than Fifty Thousand Dollars (\$50,000.00)
3 during a fiscal year shall cause to be prepared an annual review or
4 compilation in compliance with standards promulgated by the American
5 Institute of Certified Public Accountants. Copies of the review or
6 compilation shall be filed with the State Auditor and Inspector
7 within six (6) months after the close of the fiscal year for which
8 the review or compilation is done.

9 C. Each annual review, compilation or audit prepared pursuant
10 to this section shall be reported at the district's annual meeting.
11 Nothing in this section shall in any way alter or eliminate the
12 auditing requirements of any state or federal lending institution.

13 SECTION 3. This act shall become effective November 1, 2026.
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