

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3879

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  
9 as governing body; modifying list of records to be  
10 entered; requiring board maintain records in  
11 accordance with the Oklahoma Open Records Act;  
12 requiring certain website posting; amending 82 O.S.  
13 2021, Section 1324.18, which relates to duty of  
14 chairman; requiring certain guidelines be followed;  
15 and providing an effective date.

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

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

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

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, and adjust rates, if necessary, to produce  
13 sufficient revenue required by such budget. In performing such  
14 duties, the chairman and board shall follow guidelines set by the  
15 Office of 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.

24

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.

15           60-2-15244       JBH       01/05/26