

**BILL SUMMARY**  
2<sup>nd</sup> Session of the 60<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB4338</b>
<b>Version:</b>	<b>POLPCS1</b>
<b>Request Number:</b>	<b>16164</b>
<b>Author:</b>	<b>Rep. Moore</b>
<b>Date:</b>	<b>2/11/2026</b>
<b>Impact:</b>	<b>\$0</b>

**Research Analysis**

The proposed policy committee substitute for HB4338 updates state law regarding water that is a byproduct of oil and gas drilling. The measure distinguishes between *brine water* and *produced water* and clarifies *produced water* that will be used for commercial extraction of its constituent elements will be governed by the Oklahoma Brine Development Act. Otherwise, if there will be no extraction of constituent elements, the produced water will be governed by the Oil and Gas Produced Water Recycling and Reuse Act.

The measure authorizes the corporation commission to regulate produced water and limits the size of the produced water unit to the size of the drilling unit of the associated oil and gas well. The produced water unit is also limited to the same common source of supply. The Commission may establish a spacing unit if one is not already established.

Someone wishing to unitize produced water must file an application with the Corporation Commission and establish a description of the brine production unit or produced water unit.

Prepared By: Emily Byrne

**Fiscal Analysis**

The proposed policy committee substitute to HB 4338 adds and modifies statutory definitions related to brine wells. The Oklahoma Corporation Commission (OCC) oversees regulation of brine production and produced water from oil and gas wells. Upon review, the OCC has determined that this measure has no direct fiscal or revenue considerations for the state.

Prepared By: Jay St Clair, House Fiscal Staff

**Other Considerations**

None.