An Act

ENROLLED SENATE
BILL NO. 809

By: Bingman, Crain, Marlatt, Shortey, Griffin, and Sharp of the Senate

and

Hickman and McBride of the House

An Act relating to oil and gas; authorizing regulation by municipalities, counties and other political subdivisions of certain oil and gas operations and establishing setbacks; providing certain limitation; prohibiting certain regulations; making certain operations subject to jurisdiction and regulation of the Corporation Commission; authorizing certain regulation of areas delineated as one-hundred-year floodplains; repealing 52 O.S. 2011, Section 137, which relates to powers of cities and towns to regulate oil and gas drilling or production; and providing for codification.

SUBJECT: Regulation of oil and gas activities

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 137.1 of Title 52, unless there is created a duplication in numbering, reads as follows:

A municipality, county or other political subdivision may enact reasonable ordinances, rules and regulations concerning road use, traffic, noise and odors incidental to oil and gas operations within its boundaries, provided such ordinances, rules and regulations are not inconsistent with any regulation established by Title 52 of the

Oklahoma Statutes or the Corporation Commission. A municipality, county or other political subdivision may also establish reasonable setbacks and fencing requirements for oil and gas well site locations as are reasonably necessary to protect the health, safety and welfare of its citizens but may not effectively prohibit or ban any oil and gas operations, including oil and gas exploration, drilling, fracture stimulation, completion, production, maintenance, plugging and abandonment, produced water disposal, secondary recovery operations, flow and gathering lines or pipeline infrastructure. All other regulations of oil and gas operations shall be subject to the exclusive jurisdiction of the Corporation Commission. Provided, notwithstanding any provision of law to the contrary, a municipality, county or other political subdivision may enact reasonable ordinances, rules and regulations concerning development of areas within its boundaries which have been or may be delineated as a one-hundred-year floodplain but only to the minimum extent necessary to maintain National Flood Insurance Program eligibility.

SECTION 2. REPEALER 52 O.S. 2011, Section 137, is hereby repealed.

Passed the Senate the 21st day of May, 2015.

Eddie Fields
Presiding Officer of the Senate

Passed the House of Representatives the 22nd day of April, 2015.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 21st
day of May, 20 15, at 3:51 o'clock P M.
By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 29th
day of May, 20 15, at 2:03 o'clock P M.

Mary Fallin
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 29th
day of May, 20 15, at 3:13 o'clock P. M.
By: Chris Morris