

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 HOUSE BILL 2280

By: O'Donnell

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6 AS INTRODUCED

7 An Act relating to waters and water rights; defining
8 term; describing wastewater and rights to wastewater
9 as commodities; allowing for the sale of wastewater;
10 specifying water measurement; allowing repackaging;
11 providing for codification; and providing an
12 effective date.

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

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 1F of Title 82, unless there is
16 created a duplication in numbering, reads as follows:

17 A. As used in this section, "wastewater" means water treated by
18 an entity in accordance with Department of Environmental Quality
19 Standards Rule 252-627-1-6 and discharged into the waters of the
20 state.

21 B. Wastewater and the rights thereto are hereby declared to be
22 commodities, separate and distinct from the waters of the state into
23 which wastewater is discharged, separate and distinct from
24 transportation and separate and distinct from storage.

1 C. Any entity treating wastewater may sell such water or the
2 rights attributed to the ownership of such water to any entity
3 having access to excess and surplus water as determined in the 2012
4 Oklahoma Comprehensive Water Plan by the Oklahoma Water Resources
5 Board.

6 D. Wastewater shall be described in gallons or acre-feet, as
7 the case may be, and may be described as unbundled and
8 volumetrically differentiated from the waters of the state.

9 E. Wastewater may be repackaged at a city gate or other point
10 of entry to an entity having access to excess and surplus water as
11 determined by the 2012 Oklahoma Comprehensive Water Plan.

12 SECTION 2. This act shall become effective November 1, 2017.

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