

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 HOUSE BILL 1107

By: Cannaday

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6 AS INTRODUCED

7 An Act relating to oil and gas; amending 52 O.S.
8 2011, Section 320.1, which relates to restriction on
9 the location of habitable structures; specifying
10 types of wells subject to restriction; changing
11 habitable structure term; changing distances; adding
12 distance restriction for freshwater wells; adding
13 restriction for wells using hydraulic fracturing
14 techniques; setting minimum radius; defining term;
15 clarifying waiver of setback provisions by a surface
16 owner; and providing an effective date.

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

18 SECTION 1. AMENDATORY 52 O.S. 2011, Section 320.1, is
19 amended to read as follows:

20 Section 320.1 A. After the effective date of this act, it
21 shall be unlawful to locate ~~any habitable structure within:~~

22 1. ~~A~~ The wellbore of an active vertically or horizontally
23 drilled oil or gas well within a radius of ~~one hundred twenty five~~
24 ~~(125)~~ five hundred (500) feet from ~~the wellbore of an active well~~
any occupied structure; ~~or~~

1 2. ~~A radius of fifty (50) feet from the~~ The wellbore of an
2 active vertically or horizontally drilled oil or gas well within a
3 radius of three hundred (300) feet from any producing freshwater
4 well; or

5 3. The center of any surface equipment or other equipment
6 necessary for the operation of an active well, including, but not
7 limited to, hydrocarbon and brine storage vessels, tanks,
8 compressors, heaters, separators, dehydrators, or any other related
9 equipment, within a radius of one hundred (100) feet from any
10 occupied structure.

11 B. ~~Provided, however, the~~ After the effective date of this act,
12 it shall be unlawful to locate the wellbore of an active vertically
13 or horizontally drilled oil or gas well that uses hydraulic
14 fracturing techniques within a radius of two thousand (2,000) feet
15 from any occupied structure or any producing freshwater well.

16 C. For purposes of this section, "occupied structure" means any
17 building or structure that requires a certificate of occupancy or
18 building or structure intended for human occupancy, including homes,
19 schools and hospitals.

20 D. The provisions of this section shall not prohibit an
21 operator and surface owner from agreeing in writing to setback
22 provisions with distances different from those set forth in this
23 section. ~~Provided, however, the surface owner may waive the setback~~
24

1 provisions only with regard to an occupied structure or producing
2 freshwater well located on the real property of the owner.

3 SECTION 2. This act shall become effective November 1, 2015.

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