

1 **SENATE FLOOR VERSION**

2 April 9, 2019

3 **AS AMENDED**

4 ENGROSSED HOUSE

5 BILL NO. 2150

6 By: Pfeiffer and Roberts (Sean)  
7 of the House

8 and

9 Allen of the Senate

10 **[ oil and gas - property rights - codification -**  
11 **emergency ]**

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

13 SECTION 1. NEW LAW A new section of law to be codified  
14 in the Oklahoma Statutes as Section 137.2 of Title 52, unless there  
15 is created a duplication in numbering, reads as follows:

16 A. It shall be considered a taking pursuant to Article 2 of the  
17 Oklahoma Constitution and relevant statutes whenever a municipality,  
18 county or other political subdivision, other than the Corporation  
19 Commission, adopts or implements an ordinance, resolution, rule,  
20 regulation or other form of official policy concerning oil and gas  
21 operations that has the effect of:

22 1. Substantially interfering with the use and enjoyment of the  
23 mineral estate, as defined in Section 802 of Title 52 of the  
24 Oklahoma Statutes;

1           2. Imposing or enforcing a limitation that adversely impacts  
2 the use and development of minerals; or

3           3. Prohibiting access to develop the mineral estate, thereby  
4 substantially reducing the fair market value of the mineral estate.

5           B. The provisions of this section shall not apply to any  
6 ordinance, resolution, rule, regulation or other form of official  
7 policy adopted or implemented prior to December 31, 2014.

8           ~~**SECTION 2. It being immediately necessary for the preservation**~~  
9 ~~**of the public peace, health or safety, an emergency is hereby**~~  
10 ~~**declared to exist, by reason whereof this act shall take effect and**~~  
11 ~~**be in full force from and after its passage and approval.**~~

12 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY  
13 April 9, 2019 - DO PASS AS AMENDED  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24