

1 **SENATE FLOOR VERSION**

2 April 1, 2015

3 ENGROSSED HOUSE  
4 BILL NO. 2178

By: Hickman, McBride, Murdock  
and Osborn of the House

5 and

6 Bingman and Marlatt of the  
7 Senate

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9  
10 An Act relating to oil and gas; authorizing  
11 regulation by municipalities, counties and other  
12 political subdivisions of certain oil and gas  
13 operations and establishing setbacks; providing  
14 certain limitation; prohibiting certain regulations;  
15 making certain operations subject to jurisdiction and  
16 regulation of the Corporation Commission; repealing  
17 52 O.S. 2011, Section 137, which relates to powers of  
18 cities and towns to regulate oil and gas drilling or  
19 production; providing for codification; and declaring  
20 an emergency.

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

22 SECTION 1. NEW LAW A new section of law to be codified  
23 in the Oklahoma Statutes as Section 137.1 of Title 52, unless there  
24 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

1 within its boundaries, provided such ordinances, rules, and  
2 regulations are not inconsistent with any regulation established by  
3 Title 52 of the Oklahoma Statutes or the Corporation Commission. A  
4 municipality, county, or other political subdivision may also  
5 establish reasonable setbacks and fencing requirements for oil and  
6 gas well site locations as are reasonably necessary to protect the  
7 health, safety, and welfare of its citizens, but may not effectively  
8 prohibit or ban any oil and gas operations, including oil and gas  
9 exploration, drilling, fracture stimulation, completion, production,  
10 maintenance, plugging and abandonment, produced water disposal,  
11 secondary recovery operations, flow and gathering lines or pipeline  
12 infrastructure. All other regulation of oil and gas operations  
13 shall be subject to the exclusive jurisdiction of the Corporation  
14 Commission.

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16 repealed.

17 SECTION 3. It being immediately necessary for the preservation  
18 of the public peace, health and safety, an emergency is hereby  
19 declared to exist, by reason whereof this act shall take effect and  
20 be in full force from and after its passage and approval.

21 COMMITTEE REPORT BY: COMMITTEE ON ENERGY  
22 April 1, 2015 - DO PASS  
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