1 HOUSE OF REPRESENTATIVES - FLOOR VERSION 2 STATE OF OKLAHOMA 3 2nd Session of the 55th Legislature (2016) ENGROSSED SENATE 4 BILL NO. 1029 By: Holt of the Senate 5 and 6 Hall of the House 7 8 9 An Act relating to cities and towns; authorizing termination of certain water and sewer services provided by separate municipality upon delinquency; 10 stating procedures; requiring certain notice; stating 11 exception; requiring municipalities to enact procedures to provide notice and hearing; providing 12 for codification; and providing an effective date. 13 14 15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA: SECTION 1. A new section of law to be codified 16 NEW LAW in the Oklahoma Statutes as Section 22-112.5 of Title 11, unless 17 there is created a duplication in numbering, reads as follows: 18 A. Where water service is provided to real property by one 19 public entity but that property receives sewer or waste water 20 service from another public entity, and where the sewer or waste 21 water account for the property has been found to be delinquent as 22 determined by the policies adopted by the public entity regarding 23

nonpayment, the governing body of the public entity providing sewer

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or waste water service to that property may request that the public entity providing water service terminate water service. delinquency has been resolved, the governing body of the public entity providing sewer or waste water service requesting the termination of water service shall provide a proposed date for termination and notice to the public entity providing water service, and to the account holder and property owner of the subject property at least thirty (30) days prior to the proposed date for termination. The public entity providing water service may terminate water service at the subject property on the proposed date for termination or within thirty (30) days thereafter. sewer or waste water delinquency be resolved during the pendency of the termination of water service, or sometime thereafter, the public entity which requested termination of water service shall provide the public entity providing water service notice of the resolution of delinquency no later than the first business day following resolution. The public entity providing water service shall renew water service no later than the first business day following the notice. Should the sewer or waste water delinquency be resolved during the pendency of the termination of water service, or sometime thereafter, the public entity which requested termination of water service shall provide the account holder and the property owner notice of the resolution of the delinquency, upon request.

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| 1 | B. Each public entity desiring to utilize the termination |
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| 2 | provision authorized in subsection A of this section shall enact, in |
| 3 | accordance to law and as required by this act, notice and hearing |
| 4 | procedures to ensure account holders and property owners receive |
| 5 | adequate notice and opportunity for hearing prior to commencement of |
| 6 | the procedures authorized in subsection A of this section. |
| 7 | SECTION 2. This act shall become effective November 1, 2016. |
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| 9 | COMMITTEE REPORT BY: COMMITTEE ON COUNTY AND MUNICIPAL GOVERNMENT, dated 04/06/2016 - DO PASS. |
| 10 | dated 04/00/2010 - DO FASS. |
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