

# An Act

ENROLLED HOUSE  
BILL NO. 2263

By: Patzkowsky, McBride and  
Russ of the House

and

Murdock of the Senate

An Act relating to groundwater; creating the Groundwater Irrigation District Act; defining terms; providing for permit holders to petition for the formation of a groundwater irrigation district; requiring districts to consist of whole counties; authorizing permit holders to request not to participate in districts; designating groundwater irrigation districts political subdivisions of the state; specifying requirements for a petition; requiring county commissioners to verify a petition and coordinate with the Oklahoma Water Resources Board for district formation; requiring county commissioners to assign members of a district board; requiring that district board members serve without compensation; requiring the district board to adopt certain bylaws and appoint a director; requiring district board to submit bylaws for approval or disapproval; authorizing the Oklahoma Water Resources Board to promulgate rules; providing for codification; and providing an effective date.

SUBJECT: Groundwater Irrigation District Act

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1021.1 of Title 82, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Groundwater Irrigation District Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1021.2 of Title 82, unless there is created a duplication in numbering, reads as follows:

As used in this act:

1. "Board" means the Oklahoma Water Resources Board;
2. "District" means a groundwater irrigation district;
3. "District board" means the board of a groundwater irrigation district; and
4. "Permit holder" means a person who possesses a permit to use groundwater as provided for in Section 1020.11 of Title 82 of the Oklahoma Statutes.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1021.3 of Title 82, unless there is created a duplication in numbering, reads as follows:

A. If ten individual permit holders in a proposed groundwater irrigation district desire to provide for the betterment of and the assistance and procurement of conservation grant funding for groundwater irrigation of such irrigable lands, the holders may propose the organization of a groundwater irrigation district by petition pursuant to this act.

B. Groundwater irrigation districts shall be comprised of a whole county or whole counties adjacent to one or the other but shall only include permit holders who desire to participate in the district. Any permit holder who does not desire to participate shall not be included upon a written document stating such to the district board.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1021.4 of Title 82, unless there is created a duplication in numbering, reads as follows:

The petition shall be signed by the petitioners, filed with the county commissioners of a petitioning county and the county

commissioners of a participating adjacent county within the proposed district, and shall contain the following information:

1. A specific description of the county or counties within the proposed district;

2. The names and addresses of all of the permit holders who have signed the petition within the proposed district as reflected by the permit records of the Oklahoma Water Resources Board;

3. The proposed plan of organization, operation and such additional data and information required by rules of the Board; and

4. A request that the district be organized.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1021.5 of Title 82, unless there is created a duplication in numbering, reads as follows:

A. After receipt of the petition, the county commissioners and the county commissioners of any participating adjacent county shall:

1. Verify the authenticity of each signatory whose address is located within the county;

2. Coordinate with the Oklahoma Water Resources Board and, if necessary, the adjacent counties to verify that ten individual permit holders within the proposed district have signed the petition; and

3. If, upon consideration, it shall be found that such petition is in conformity with the requirements of this act, and that such a district should be created, the board of county commissioners shall thereupon immediately declare the land described in the petition or any part thereof to be incorporated as a district under the name of "\_\_\_\_ Groundwater Irrigation District" (inserting unique name of irrigation district) and thereupon the district shall be a body politic and corporate and an agency and legally constituted authority of the State of Oklahoma for the public purposes set forth in this act. The board of county commissioners shall thereupon enter upon its records full minutes of such hearing, together with its order creating the district under the corporate name for the purposes of this act. Such districts shall not be political corporations or subdivisions of the state within the meaning of any constitutional debt limitations, nor shall the districts have any

power or authority to levy any taxes whatsoever or make any assessments on property, real or personal.

B. After the county commissioners and the county commissioners of any participating adjacent county have submitted a request for the formation of a groundwater irrigation district, each county board of commissioners shall assign members of the initial district board. A county board of commissioners shall select three members representing groundwater irrigation users within the county. If multiple counties reside within the district, each county shall have equal representation on the district board. Each of the three members of the initial district board shall be groundwater permit holders who irrigate in the county. District board members shall serve without compensation.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1021.6 of Title 82, unless there is created a duplication in numbering, reads as follows:

At the time and place established by the county commissioners and the county commissioners of any participating adjacent county for the first meeting of the initial district board, the initial district board shall adopt bylaws. In addition to any other provisions normally and properly included in bylaws, the bylaws shall, at a minimum, include provisions regarding the following:

1. Establishing the district's name and principal place of business;

2. Requiring an annual meeting of the district board and providing that a notice of such annual meeting be given, not less than fifteen (15) days prior to the annual meeting, in newspapers that are published in counties within the district. If no newspaper is published in the county, the notice shall be posted in three public places in the county, one of which shall be the county courthouse; and

3. Requiring that the initial district board pursuant to the provisions of this section shall:

- a. establish the composition of the district board, qualifications of the members and a process to elect a board of directors within one (1) year of the approval of the district by the Oklahoma Water Resources Board,

- b. set the district board members' terms of office, and
- c. elect a district board member as director of the district.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1021.7 of Title 82, unless there is created a duplication in numbering, reads as follows:

The Oklahoma Water Resources Board may promulgate rules to enforce the provisions of this act.

SECTION 8. This act shall become effective November 1, 2019.

Passed the House of Representatives the 2nd day of May, 2019.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

Passed the Senate the 16th day of April, 2019.

\_\_\_\_\_  
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_