

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 885

By: Burns

AS INTRODUCED

An Act relating to utilities; defining terms; requiring utility companies and water supplier to require certain verification prior to providing services and report suspicious activity for certain business; allowing data to be given to certain agencies for investigation; establishing penalties for violation of act; allowing for cease of operations after certain notice; providing for promulgation of rules; providing for codification; and providing an effective date.

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 710.9 of Title 17, unless there is created a duplication in numbering, reads as follows:

A. As used in this section:

1. "Customer" means an individual or a business partnership, limited liability company, corporation, or other legal entity receiving service from an electric utility and water from a water supplier in the name of the individual or the entity. A customer may be residential, commercial, or industrial;

1           2. "Electric utility" means any person, firm, partnership,  
2 corporation, association, or cooperative corporation furnishing  
3 retail electric service to the public in Oklahoma. Electric utility  
4 shall not mean a municipal corporation or beneficial trust of a  
5 municipal corporation;

6           3. "Suspicious usage data activity" means activity that has  
7 been previously or is being currently investigated by the Oklahoma  
8 Medical Marijuana Authority, the Oklahoma State Bureau of Narcotics  
9 and Dangerous Drugs Control, or local law enforcement;

10          4. "Usage data" means information, on an as-available basis,  
11 relating to both:

- 12           a. the amount of electricity and water consumed at a  
13                residence or premises of a customer, and
- 14           b. the characteristics of that consumption, as generated,  
15                recorded, stored, or transmitted by the electric  
16                utility infrastructure, water supplier infrastructure,  
17                or supporting technology; and

18          5. "Water supplier" means a water treatment plant, water wells,  
19 and all related pipelines or conduits, pumping stations and mains,  
20 and all other appurtenances and devices used for distributing water  
21 to the public.

22          B. An electric utility and a water supplier shall:  
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1 1. Require application verifying the lawful use of property  
2 from a landowner and a medical marijuana business licensee prior to  
3 providing utility and water services; and

4 2. Monitor and report suspicious usage data from a customer  
5 engaging in a commercial medical marijuana operation to the  
6 Corporation Commission.

7 C. The Corporation Commission shall review the usage data and  
8 shall refer the data or its findings to the Oklahoma Medical  
9 Marijuana Authority, Oklahoma State Bureau of Narcotics and  
10 Dangerous Drugs Control, or local law enforcement for investigation.

11 D. Any and all individuals found in violation of  
12 misrepresenting or fabricating data as was required in paragraph 1  
13 of subsection B of this section or licensing requirements Section  
14 420 et seq. of Title 63 of the Oklahoma Statutes or who acted in a  
15 manner that allowed for an individual or individuals to violate the  
16 provisions in paragraph 1 of subsection B of this section or Section  
17 420 et seq. of Title 63 of the Oklahoma Statutes as they related to  
18 commercial medical marijuana operations shall be deemed guilty of a  
19 felony, and upon conviction thereof shall be punished by a fine of  
20 not more than Ten Thousand Dollars (\$10,000.00), or by imprisonment  
21 for a period of not exceeding two (2) years, or by both such fine  
22 and imprisonment.

23 E. Upon being served notice by either Oklahoma Medical  
24 Marijuana Authority, Oklahoma State Bureau of Narcotics and  
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1 Dangerous Drugs Control, or local law enforcement, an electric  
2 utility or water supplier may cease supplying electricity or water  
3 to the offending location.

4 F. The Corporation Commission shall promulgate the rules  
5 necessary to enforce the provisions of this section.

6 SECTION 2. This act shall become effective November 1, 2023.

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