

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 SENATE BILL 914

By: Howard

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5  
6 AS INTRODUCED

7 An Act relating to water and water rights; creating  
8 the Oklahoma Regional Water District Act; providing  
9 short title; directing the Oklahoma Water Resources  
10 Board to designate certain districts by certain date;  
11 specifying terms for designation; directing initial  
12 development and coordination of certain districts;  
13 requiring development of regional water plans;  
14 specifying contents of plans; directing rule  
15 promulgation; requiring notice and hearing subject to  
16 certain requirements; providing for conflict  
17 resolution under certain circumstances; directing  
18 report submission; requiring Board to seek financial  
19 assistance from certain entities; providing for  
20 contractual agreements between Board and political  
21 subdivisions; amending 82 O.S. 2021, Section 1086.2,  
22 which relates to the Oklahoma Comprehensive Water  
23 Plan; conforming language; amending Section 1,  
24 Chapter 268, O.S.L. 2023 (82 O.S. Supp. 2024, Section  
25 1086.7), which relates to the Oklahoma Flood and  
26 Drought Management Task Force; conforming language;  
27 amending 82 O.S. 2021, Section 1623, which relates to  
28 the state flood plan; conforming language; updating  
29 statutory language; providing for noncodification;  
30 providing for codification; and providing an  
31 effective date.

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

33 SECTION 1. NEW LAW A new section of law not to be  
34 codified in the Oklahoma Statutes reads as follows:  
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1 This act shall be known and may be cited as the "Oklahoma  
2 Regional Water District Act".

3 SECTION 2. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 1086.8 of Title 82, unless there  
5 is created a duplication in numbering, reads as follows:

6 A. The Oklahoma Water Resources Board shall designate  
7 geographic areas to be known as regional water districts and to be  
8 responsible for developing regional water plans, no later than July  
9 1, 2026. In creating boundaries for such districts, the Board shall  
10 take into consideration factors such as river basin and aquifer  
11 delineations, water utility development patterns, socioeconomic  
12 characteristics, existing regional water planning areas, political  
13 subdivision boundaries, public comment, and any other factors deemed  
14 relevant by the Board. The Board shall review and update the  
15 district boundaries as necessary, but not less than every five (5)  
16 years.

17 B. No later than sixty (60) days after the designation of the  
18 regional water districts under subsection A of this section, the  
19 Board shall designate representatives within each district to serve  
20 as the initial coordinating body for regional water planning. The  
21 initial coordinating body shall then designate additional  
22 representatives to provide regional water planning assistance for  
23 the regional water plan, ensuring adequate representation from the  
24 interests comprising that region including, but not limited to, the

1 public, counties, municipalities, industries, agricultural  
2 interests, environmental interests, small businesses, electric  
3 generating utilities, river authorities, rural water districts, and  
4 water utilities.

5 C. 1. Each regional water district shall prepare a regional  
6 water plan that provides for the orderly development, management,  
7 and conservation of water resources and preparation for and response  
8 to drought conditions in order that sufficient water will be  
9 available at a reasonable cost to ensure public health, safety, and  
10 welfare, further economic development, and protect the agricultural  
11 and natural resources of the region.

12 2. The Board shall provide guidelines for the consideration of  
13 existing regional planning efforts by a regional water district.  
14 The Board shall provide guidance for the format in which information  
15 shall be presented in any plans submitted by the district to the  
16 Board.

17 D. Each regional water district shall submit to the Oklahoma  
18 Water Resources Board a regional water plan that:

19 1. Is consistent with the guidance principles of the Oklahoma  
20 Comprehensive Water Plan;

21 2. Provides information based on local and regional water  
22 needs;

23 3. Has specific provisions for water management strategies to  
24 be used during:

- 1 a. a drought of record,
- 2 b. a period when flows are at seventy-five percent (75%)
- 3 of normal water flow, and
- 4 c. when flows are at fifty percent (50%) of normal water
- 5 flow; and

6 4. Includes consideration of:

- 7 a. any existing water or drought planning efforts
- 8 addressing all or a port of the regional water
- 9 district,
- 10 b. groundwater irrigation districts,
- 11 c. all potentially feasible water management strategies
- 12 including, but not limited to, improved conservation
- 13 and management of existing water supplies, acquisition
- 14 of available existing water supplies, and development
- 15 of new water supplies,
- 16 d. protection of existing water rights within the
- 17 regional water district and modes and procedures for
- 18 the equitable adjustment of water rights affected by
- 19 the plan,
- 20 e. opportunities for and the benefits of developing
- 21 regional water supply facilities or providing regional
- 22 management of water supply facilities, and
- 23 f. voluntary transfer of water within the regional water
- 24 district using sources including, but not limited to,
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1 regional water banks, sales, leases, options,  
2 subordination agreements, and financing agreements.

3 E. 1. No later than July 1, 2026, the Board shall promulgate  
4 rules to:

5 a. provide for the procedures for adoption of regional  
6 water plans by regional water districts and for  
7 approval of such plans by the Board, and

8 b. govern procedures to be followed in carrying out the  
9 responsibilities of this section.

10 2. The Board shall provide technical and financial assistance  
11 to the regional water district for the development of plans provided  
12 for in this act.

13 3. The Board, if requested, may facilitate resolution of  
14 conflicts or disputes between regional water districts.

15 SECTION 3. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 1086.9 of Title 82, unless there  
17 is created a duplication in numbering, reads as follows:

18 A. After a regional water plan is developed by a regional water  
19 district pursuant to the provisions of the Oklahoma Regional Water  
20 District Act, the group shall, following publication of notice  
21 pursuant to the Oklahoma Open Meeting Act, hold not less than one  
22 public hearing at some central location within the district.

23 B. After the regional water plan is initially prepared, the  
24 regional water district shall submit a copy of the plan to the  
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1 Oklahoma Water Resources Board. The Board shall submit comments on  
2 the regional water plan as to whether the plan meets the  
3 requirements of Section 1 of this act.

4 C. 1. If no interregional conflicts exist, the regional water  
5 district shall:

- 6 a. consider all comments from the public and the Board,
- 7 b. prepare, revise, and adopt the final plan, and
- 8 c. submit the adopted plan to the Board for approval and  
9 inclusion in the next decennial update of the Oklahoma  
10 Comprehensive Water Plan.

11 2. If an interregional conflict exists, the Board shall  
12 facilitate coordination between the involved regional water  
13 districts to resolve the conflict. If conflict remains, the Board  
14 shall act as a mediator between the regional water districts. Upon  
15 resolution of the conflict, the involved regional water districts  
16 shall:

- 17 a. prepare revisions to their respective plans, and
- 18 b. following publication of notice pursuant to the  
19 Oklahoma Open Meeting Act, hold not less than one  
20 public hearing at some central location within the  
21 respective regional planning areas.

22 3. Following the resolution of conflicts under paragraph 2 of  
23 this subsection, the regional water districts shall:

- 24 a. consider all comments from the public and the Board,

1           b.   prepare, revise, and adopt their respective final  
2                   plans, and

3           c.   submit the adopted plan to the Board for approval and  
4                   inclusion in the next decennial update of the Oklahoma  
5                   Comprehensive Water Plan.

6           D.   The Board may only approve a regional water plan after it  
7           has determined that all interregional conflicts involving that  
8           regional water district have been resolved.

9           E.   A regional water district shall submit their adopted  
10           regional water plan to the Board not later than one (1) year prior  
11           to the upcoming decennial update of the Oklahoma Comprehensive Water  
12           Plan pursuant to Section 1086.2 of Title 82 of the Oklahoma  
13           Statutes. Subsequent regional water plans shall be submitted every  
14           nine (9) years thereafter and shall follow the public participation  
15           requirements prescribed in this section.

16           F.   The Oklahoma Water Resources Board shall take all necessary  
17           action to qualify for federal assistance in financing the  
18           development and improvement of regional water districts.

19           G.   1.   The Board may enter into contracts with political  
20           subdivisions to fund all or part of the cost of developing or  
21           revising a regional water plan as provided for in this act.

22           2.   A political subdivision may submit, either individually or  
23           jointly with other political subdivisions, a written application to  
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1 the Board for the purpose of funding regional water planning  
2 research for a regional water district.

3 3. The application to the Board shall include, but not be  
4 limited to:

- 5 a. the name of the political subdivision or subdivisions,
- 6 b. the amount requested from the Board for regional water  
7 planning efforts, and
- 8 c. any other relevant information required or  
9 specifically requested by the Board.

10 H. After notice and hearing pursuant to the Oklahoma Open  
11 Meeting Act, the Board may award a political subdivision all or part  
12 of the requested funds that the Board considers necessary for the  
13 political subdivision to facility regional water planning with the  
14 regional water district.

15 SECTION 4. AMENDATORY 82 O.S. 2021, Section 1086.2, is  
16 amended to read as follows:

17 Section 1086.2. For the purpose of effectuating the provisions  
18 of this act and the policy established in Section 1086.1 of this  
19 title, the Oklahoma Water Resources Board is hereby authorized,  
20 empowered and directed:

21 1. To prepare a comprehensive state water plan and decennial  
22 updates thereof for submission to the Legislature and, in connection  
23 therewith, to conduct surveys and cooperate with other state and  
24 federal agencies. Such comprehensive state water plan and the parts



1 and portions thereof shall be submitted in final and completed form  
2 not later than September 1, 1975, and, in addition to the foregoing  
3 requirements, shall include a definition of "excess and surplus  
4 water of this state" and a recommended procedure for determining  
5 "excess and surplus water of this state," which definition and  
6 procedure are to be developed to insure that the area of origin will  
7 never be made water deficient. Subsequent updates to the Oklahoma  
8 Comprehensive Water Plan on and after November 1, 2025, shall  
9 account for and include updates from the regional water districts  
10 formed pursuant to the Oklahoma Regional Water District Act.

11 The Water Resources Board shall permit representatives of the  
12 United States Army Corps of Engineers, the Bureau of Reclamation,  
13 the Soil Conservation Service and other appropriate federal  
14 agencies, as well as representatives of state agencies involved in  
15 tourism, parks, fish and wildlife, recreation, soil conservation,  
16 public health, agriculture, public utilities and industrial  
17 development to participate to the extent of their authority and  
18 capacity in the development of the comprehensive state water plan.  
19 The Water Resources Board shall prepare such plan and updates in  
20 printed form. Upon completion thereof, the plan shall be submitted  
21 to the Oklahoma Legislature not later than September 1, 1975. The  
22 Board is not authorized to implement the plan or any part or update  
23 thereof except by express authorization and consent of the  
24 Legislature. The first decennial update shall be prepared and

1 submitted to the Legislature no later than September 1, 1995.

2 Thereafter, updates shall be prepared and likewise submitted no  
3 later than September 1 of the fifth year following the taking of the  
4 Federal Decennial Census.

5 Work on the first update shall begin with the passage and  
6 approval of this act. After completion of the first update, work on  
7 subsequent updates shall remain continuous and ongoing throughout  
8 the ten-year periods between submission of the updates-;

9 2. To adopt such rules and regulations as may be necessary to  
10 effectuate the purposes of this act-;

11 3. To make and enter into all contracts and agreements  
12 necessary or incidental to the performance of its duties and the  
13 execution of its powers under this act-;

14 4. To receive and accept from the State of Oklahoma or the  
15 United States of America or any agency or instrumentality thereof  
16 grants of funds and to receive and accept aid or contributions from  
17 any source of either money, property, labor or other things of value  
18 to be held, used and applied only for the purposes for which such  
19 grants and contributions may be made-;

20 5. To expend income and funds of the Board in the exercise of  
21 any or all of the powers granted to the Board under the provisions  
22 of this act-; and

23 6. To cooperate with all state institutions, agencies,  
24 departments, boards and officers in all matters relating to its

1 duties; and all state institutions, agencies, departments, boards  
2 and officers are hereby authorized and directed to cooperate with  
3 the Board.

4 SECTION 5. AMENDATORY Section 1, Chapter 268, O.S.L.  
5 2023 (82 O.S. Supp. 2024, Section 1086.7), is amended to read as  
6 follows:

7 Section 1086.7. A. The Oklahoma Flood and Drought Management  
8 Task Force is hereby established and shall be comprised of two  
9 groups, the management group and the advisory group.

10 B. 1. The management group shall be comprised of designees  
11 from the following state agencies:

- 12 a. the Oklahoma Water Resources Board, which shall serve  
13 as the lead agency,
- 14 b. the Oklahoma Department of Emergency Management and  
15 Homeland Security,
- 16 c. the Oklahoma Department of Agriculture, Food, and  
17 Forestry,
- 18 d. the State Department of Health,
- 19 e. the Department of Environmental Quality,
- 20 f. the Oklahoma Conservation Commission,
- 21 g. the Department of Wildlife Conservation,
- 22 h. the Oklahoma Climatological Survey, and
- 23 i. the Oklahoma Military Department.

1           2. The advisory group shall be comprised of designees of the  
2 following state associations and entities:

- 3           a. Association of County Commissioners of Oklahoma,
- 4           b. Oklahoma Rural Water Association, and
- 5           c. Oklahoma Municipal League.

6           The advisory group shall also include the resources of all  
7 remaining state agencies and departments available to provide advice  
8 and assistance to the Oklahoma Flood and Drought Management Task  
9 Force, including the Oklahoma State Regents for Higher Education.

10           C. The Oklahoma Water Resources Board shall formally coordinate  
11 with the following federal agencies:

- 12           1. Federal Emergency Management Agency (FEMA);
- 13           2. U.S. Army Corps of Engineers;
- 14           3. U.S. Forest Service;
- 15           4. The United States Geological Survey;
- 16           5. Bureau of Reclamation;
- 17           6. Farm Service Agency;
- 18           7. National Weather Service;
- 19           8. U.S. Fish and Wildlife Service;
- 20           9. U.S. Small Business Administration;
- 21           10. Bureau of Indian Affairs;
- 22           11. U.S. Department of Housing and Urban Development;
- 23           12. United States Environmental Protection Agency; and

1 13. Any other federal agency available to provide advice and  
2 assistance.

3 D. The Oklahoma Flood and Drought Management Task Force shall  
4 have the following duties:

5 1. Developing and recommending state drought and flood  
6 response, recovery, and mitigation initiatives for conditions  
7 determined to be detrimental to the state economy and public health;

8 2. Identifying drought and flood management areas in the state;

9 3. Providing coordination and communication among federal,  
10 state, and local entities, including regional water districts, as  
11 deemed appropriate for drought and flood assistance programs,  
12 education, and information; and

13 4. Performing such other drought- and flood-related assessments  
14 and response functions as deemed necessary.

15 E. Beginning in 2025, and every ten (10) years thereafter, in  
16 conjunction with the update of the Oklahoma Comprehensive Water Plan  
17 and State Flood Plan, the Oklahoma Water Resources Board shall  
18 coordinate with the Oklahoma Flood and Drought Management Task Force  
19 to update the Oklahoma Drought Management Plan.

20 F. The Oklahoma Water Resources Board shall prepare an annual  
21 update of drought and flood conditions within the state and planning  
22 and mitigation activities being conducted by the Task Force and  
23 shall submit such report to the Speaker of the Oklahoma House of  
24

1 Representatives and President Pro Tempore of the Oklahoma State  
2 Senate.

3 SECTION 6. AMENDATORY 82 O.S. 2021, Section 1623, is  
4 amended to read as follows:

5 Section 1623. A. Contingent on available funding, the Oklahoma  
6 Water Resources Board shall prepare and adopt a comprehensive state  
7 flood plan. The plan shall:

- 8 1. Provide for orderly preparation for and response to flood
- 9 conditions to protect against the loss of life and property;
- 10 2. Be a guide to state and local flood control policy; ~~and~~
- 11 3. Include contributions from and account for development of
- 12 regional water districts; and
- 13 4. Contribute to water development when possible.

14 B. The state flood plan shall include:

- 15 1. An evaluation of the condition and adequacy of flood control
- 16 infrastructure on a watershed basis;
- 17 2. A statewide list of ongoing and proposed flood control and
- 18 mitigation projects and strategies necessary to protect against the
- 19 loss of life and property from flooding and a discussion of how
- 20 those projects and strategies might further water development where
- 21 applicable;
- 22 3. An analysis of completed, ongoing and proposed flood control
- 23 projects included in previous state flood plans including which
- 24 projects received funding;

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4. An analysis of development in special flood hazard areas, as defined by the Federal Emergency Management Agency; and

5. Legislative recommendations the Board considers necessary to facilitate flood control planning and project construction.

C. On adoption of a state flood plan, the Oklahoma Water Resources Board shall deliver the plan to the Governor, President Pro Tempore of the Senate and Speaker of the House of Representatives.

SECTION 7. This act shall become effective November 1, 2025.

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