

1 ENGROSSED SENATE
2 BILL NO. 573

By: Montgomery of the Senate

3 and

4 Martinez of the House

5
6 An Act relating to cities and towns; creating the
7 Oklahoma Electrical Access and Resiliency Task Force;
8 providing for membership of task force; providing
9 purpose; requiring task force to make recommendations
10 for energy use; requiring submission of report to
11 certain persons by certain date; providing for cease
12 of operations of task force; providing for
13 codification; providing an effective date; and
14 declaring an emergency.

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

16 SECTION 1. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 21-223 of Title 11, unless there
18 is created a duplication in numbering, reads as follows:

19 A. There is hereby created the Oklahoma Electrical Access and
20 Resiliency (OEAR) Task Force.

21 B. The task force shall consist of thirteen (13) members as
22 follows:

23 1. The Secretary of Energy, or designee, who shall serve as the
24 task force chair;

2. Three members appointed by the Governor:

a. a representative of an organization representing
municipalities,

1 b. a representative of a non-profit public power utility
2 located in this state, and

3 c. a representative of a manager of an electrical grid or
4 power pool;

5 3. A corporation commissioner, or designee;

6 4. Four members appointed by the President Pro Tempore of the
7 Senate:

8 a. a representative of an organization representing
9 electrical cooperatives,

10 b. a professional with academic expertise or a minimum of
11 a master's degree in electrical engineering, grid
12 management or a related field, and

13 c. two members of the Oklahoma Senate who are from
14 different political parties and shall serve as ex
15 officio members; and

16 5. Four members appointed by the Speaker of the House of
17 Representatives:

18 a. a representative of a publicly traded electric utility
19 company,

20 b. a member of the public who is not affiliated with the
21 electrical industry, and

22 c. two members of the Oklahoma House of Representatives
23 who are from different political parties and shall
24 serve as ex officio members.

1 C. The task force shall study nationally recognized best
2 practices to provide additional revenues and local control for
3 communities by having a choice in electric energy suppliers and make
4 recommendations regarding:

5 1. The removal of the moratorium on the use of municipal
6 condemnation to acquire electric facilities of an incumbent
7 investor-owned utility as defined in Section 21-222 of Title 11 of
8 the Oklahoma Statutes;

9 2. The authority to give municipal utilities the ability to use
10 the power of eminent domain to allow for community choice of
11 electric energy suppliers;

12 3. The imposition of new growth taxation of two percent (2%)
13 tax on gross sales beginning tax year 2022 on any provider of
14 wholesale sale of electric power to municipal corporations if the
15 providers were not in operation prior to the effective date of this
16 act;

17 4. Strategies to enable community choice of electric energy
18 suppliers, whether legislatively or otherwise; and

19 5. Whether a need exists to provide for ongoing evaluation of
20 the implementation of these rights and, if such a need does exist,
21 the task force shall:

- 22 a. identify the scope and nature of the need, and
- 23 b. make recommendations on how best to fill that need,
24 whether legislatively or otherwise.

1 D. The task force shall submit a final report of its findings
2 and any recommendations to the Governor, the President Pro Tempore
3 of the Senate and the Speaker of the Oklahoma House of
4 Representatives not later than a year after the effective date of
5 this act.

6 E. The provisions of this section shall cease to have the force
7 and effect of law and the task force shall terminate following the
8 submission of the final report.

9 SECTION 2. This act shall become effective July 1, 2021.

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

14 Passed the Senate the 10th day of March, 2021.

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Presiding Officer of the Senate

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18 Passed the House of Representatives the ____ day of _____,
19 2021.

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Presiding Officer of the House
of Representatives

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