



Oklahoma
State
Senate

Legislative Brief

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Red River Boundary Compact

The Red River Boundary Compact adopted by the state of Oklahoma and Texas in the 1999 legislative session is the culmination of years of negotiations to establish a political boundary between the two states. Negotiations for the states of Oklahoma and Texas were conducted by Boundary Commissions established in statute. 74 OS 6101 stated the membership would consist of the Attorney General, a governor's designee, a representative of the Kiowa, Comanche and Apache Land Use Committee, and members of the Oklahoma House of Representatives and Senate whose districts border the Red River.

The goal of the two Commissions was to arrive at a fair and equitable solution to the problem of how to identify the location of the boundary between the states. Solving this problem will enable state and county officials to enforce existing criminal law and civil law regarding taxation and property rights. Achieving these goals without adversely affecting the property rights of citizens or title to property were major concerns of the Commission members.

In 1999, Oklahoma and Texas each enacted Compacts in substantially the same form and content which provided for the establishment of a boundary, with the exception of the Lake Texoma area, which could be identified by a continuous line of vegetation along the south bank of the river. The Compacts provided that the Lake Texoma area boundary would be determined by the Commissioner of the General Land Office of Texas and the designee member of the Oklahoma Red River Boundary Commission as approved by the Contingency Review Board of the State of Oklahoma. The intent was to identify and continue to recognize the boundary in the Texoma area as it existed prior to the formation of the lake. The Texoma Area Boundary Agreement was negotiated and ultimately executed on July 28th, 2000. At the time of this analysis, the Compact has been ratified by the Congress and is on the President's desk awaiting his signature.

The Compact has been codified at 74 OS 6106 and contains the following provisions:

- Article I States the purpose of the Compact;
- Article II Specifically identifies the boundary line and provides definitions;
- Article III Addresses sovereignty issues of both states and federally recognized Indian tribes;

- Article IV Pending litigation concerning lands along the boundary shall continue in the court currently exercising jurisdiction;
- Article V Public records affecting land along the boundary shall be accepted for filing in each state and shall be accepted as evidence of title in the state and federal courts;
- Article VI Taxes shall be assessed and collected on land which is determined to be within the state on January 1 of the tax year; and
- Article VII Statement that the Compact does not affect the title of any individual or entity to land adjacent to the river, the boundary of the land or the property rights derived from the land ownership, including riparian rights.

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