

STATE OF OKLAHOMA

2nd Session of the 47th Legislature (2000)

SENATE BILL 1369

By: Muegge

AS INTRODUCED

An Act relating to oil and gas; amending 52 O.S. 1991, Sections 3, 51, 52, 60, and 61, which relate to gas companies, oil pipelines, and eminent domain; updating outline form; clarifying language; updating statutory references; and providing an effective date.

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

SECTION 1. AMENDATORY 52 O.S. 1991, Section 3, is amended to read as follows:

Section 3. No association, combination, co-partnership, or corporation shall ~~have:~~

1. Have or exercise the right of eminent domain within this state for the purpose of constructing or maintaining a gas pipeline within this state, ~~or shall be~~

2. Be permitted to take private or public property for their use within this state, unless expressly granted ~~such~~ that power in accordance with this article.

SECTION 2. AMENDATORY 52 O.S. 1991, Section 51, is amended to read as follows:

Section 51. Every corporation, joint stock company, partnership, or other person, exercising or claiming the right to carry or transport crude oil or petroleum, or any of the products thereof, by or through pipelines, for hire or otherwise, or exercising or claiming the right to engage in the business of producing crude oil or petroleum, or of refining it, or manufacturing any of the products thereof, or of storing crude oil or petroleum produced by it, or any other person, or engaging in the

business of buying, selling, or dealing in crude oil or petroleum, within the limits of this state, shall not have or possess the right to conduct or engage in ~~said~~ the business or operation, in whole or in part, ~~as above described,~~ or have or possess the right to locate, maintain, or operate the necessary pipelines, fixtures, and equipment ~~thereunto~~ belonging, or used in connection therewith, concerning the ~~said~~ business of carrying or transporting crude oil or petroleum ~~as aforesaid,~~ on, over, along, across, through, in, or under any present or future highway, or part thereof, within this state, or have or possess the right of eminent domain, or any other rights, concerning ~~said~~ the business or operations, in whole or in part, except as authorized by and subject to the provisions of ~~this article~~ Sections 51 through 59 and 61 through 66 of this title, and except ~~such~~ those rights as may already exist which are valid, vested, and incapable of revocation by any law of this state or of the United States. The word "petroleum" as used herein means all crude oil and its manufactured products, not including natural gas.

SECTION 3. AMENDATORY 52 O.S. 1991, Section 52, is amended to read as follows:

Section 52. For the purpose of acquiring necessary right-of-way, every ~~such~~ person as defined in this act is hereby granted the right of condemnation by eminent domain, and the use of the highways in this state, for the purpose of transporting petroleum, liquid, or liquifiable hydrocarbons and chemicals, except coal, which are transportable by pipeline, and for the location, laying, construction, maintaining, and operation thereof.

SECTION 4. AMENDATORY 52 O.S. 1991, Section 60, is amended to read as follows:

Section 60. Any oil pipeline company, organized under the laws of this state shall have power to exercise the right of eminent domain ~~in like manner~~ as railroad companies for the purpose of

securing rights-of-way and sites for pumping stations, storage tanks, and depots.

SECTION 5. AMENDATORY 52 O.S. 1991, Section 61, is amended to read as follows:

Section 61. All persons, natural or artificial, except foreign corporations, shall have the right of eminent domain, and any right or privilege hereby conferred, when necessary to make effective the purposes of ~~this article~~ Sections 51 through 59 and 61 through 66 of this title and the rights thereby conferred. Foreign corporations organized under the laws of any other state, or the United States, and doing or proposing to do business in this state, and which ~~shall~~ have become a body corporate pursuant to or in accordance with the laws of this state, and which, as hereby provided, shall have registered its acceptance of the terms hereof, shall receive all the benefits provided by ~~this article~~ Sections 51 through 59 and 61 through 66 of this title.

SECTION 6. This act shall become effective November 1, 2000.

47-2-1841

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