

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

HOUSE BILL HB1893

By: Tyler

AS INTRODUCED

An Act relating to eminent domain; amending 27 O.S. 1991, Section 11, which relates to reimbursement of expenses when property not acquired; modifying guidelines for owner reimbursement; and providing an effective date.

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

SECTION 1. AMENDATORY 27 O.S. 1991, Section 11, is amended to read as follows:

Section 11. Where a condemnation proceeding is instituted by any person, agency or other entity to acquire real property for use as provided in Section 9 of this title and

1. The final judgment is that the real property cannot be acquired by condemnation;

2. The proceeding is abandoned; or

3. If the award of the jury exceeds by at least ten percent (10%) the higher of either the highest offer filed in district court by the condemnor, after suit is filed and within sixty (60) days after the report of commissioners is filed, or the award of the court-appointed commissioners ~~by at least ten percent (10%)~~, the owner of any right, title or interest in such real property may be paid such sum as in the opinion of the court will reimburse such owner for his reasonable attorney, appraisal and engineering fees, actually incurred because of the condemnation proceedings. Such determination by the court shall be appealable to the Supreme Court in the same manner as any other final order. The final award of

such sums will be paid by the person, agency or other entity which sought to condemn the property.

SECTION 2. This act shall become effective November 1, 2001.

48-1-5448 MD 6/12/15