

STATE OF OKLAHOMA

2nd Session of the 50th Legislature (2006)

SENATE BILL 1502

By: Gumm

AS INTRODUCED

An Act relating to roads, bridges and ferries; requiring certain compensation for displacement or damage as a result of certain highway project; providing for codification; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1502.2 of Title 69, unless there is created a duplication in numbering, reads as follows:

On any Department of Transportation highway widening project funded wholly or in part by grant anticipation revenue vehicles (GARVEEs), any business owner displaced or damaged by such project shall be made whole, including, but not limited to, purchase of existing real property and reasonable relocation costs, regardless of the preexisting building footprint. Controversies arising pursuant to this section shall be adjudicated in the District Court. There shall be a rebuttable presumption that the harm being done is as the property owner alleges, and the Department has the burden of proving such harm was not done.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

50-2-3369

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