

**COMMITTEE AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1562 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Adopted: \_\_\_\_\_

Amendment submitted by: Fred Jordan

\_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 PROPOSED COMMITTEE  
4 SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 1562

By: Jordan

7 PROPOSED COMMITTEE SUBSTITUTE

8 An Act relating to eminent domain; directing Attorney  
9 General to prepare a Landowner's Bill of Rights;  
10 requiring certain notices and information to be  
11 included in Landowner's Bill of Rights; providing  
12 that failure to comply with certain duties  
13 invalidates property acquisition; providing for cause  
of action; repealing 27 O.S. 2001, Section 15, which  
relates to the validity of property acquisitions by  
purchase or condemnation; providing for codification;  
and providing an effective date.

14  
15  
16 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

17 SECTION 1. NEW LAW A new section of law to be codified  
18 in the Oklahoma Statutes as Section 17 of Title 27, unless there is  
19 created a duplication in numbering, reads as follows:

20 A. The Attorney General shall prepare a written statement that  
21 includes a "Landowner's Bill of Rights" for a property owner whose  
22 real property may be acquired by a person, acquiring agency, or  
23 other entity through the use of the entity's eminent domain  
24 authority under Title 27 or Title 66 of the Oklahoma Statutes. The

1 statement shall be made available to the public and written in plain  
2 language designed to be easily understood by the average property  
3 owner.

4 B. The Landowner's Bill of Rights shall notify each property  
5 owner of the right to:

6 1. Notice of the proposed acquisition of the owner's property;

7 2. A bona fide good faith effort to negotiate by the entity  
8 proposing to acquire the property;

9 3. An assessment of damages to the owner that will result from  
10 the taking of the property;

11 4. A hearing under Title 27 of the Oklahoma Statutes, including  
12 a hearing on the assessment of damages; and

13 5. An appeal of a judgment in a condemnation proceeding,  
14 including an appeal of an assessment of damages.

15 C. The statement shall include:

16 1. The title "Landowner's Bill of Rights"; and

17 2. A description of:

18 a. the condemnation procedures provided by Title 27 of  
19 the Oklahoma Statutes,

20 b. the condemning entity's obligations to the property  
21 owner, and

22 c. the property owner's options during a condemnation,  
23 including the property owner's right to object to and  
24 appeal an amount of damages awarded.

1           SECTION 2.           NEW LAW           A new section of law to be codified  
2 in the Oklahoma Statutes as Section 18 of Title 27, unless there is  
3 created a duplication in numbering, reads as follows:

4           Failure to comply with any of the duties, obligations and  
5 policies created in Title 27 of the Oklahoma Statutes or Sections 51  
6 through 66 of Title 66 of the Oklahoma Statutes shall invalidate the  
7 acquisition of the property whether obtained through condemnation or  
8 eminent domain and give rise to a cause of action for damages and  
9 any other appropriate relief in court.

10          SECTION 3.           REPEALER           27 O.S. 2001, Section 15, is hereby  
11 repealed.

12          SECTION 4.   This act shall become effective November 1, 2011.

13

14          53-1-6620           EK           02/15/11

15

16

17

18

19

20

21

22

23

24