

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE

4 FOR

HOUSE BILL NO. 1562

By: Jordan

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7 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
included in Landowner's Bill of Rights; providing for
codification; and providing an effective date.

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

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

17 A. The Attorney General shall prepare a written statement that
18 includes a "Landowner's Bill of Rights" for a property owner whose
19 real property may be acquired by a person, acquiring agency, or
20 other entity through the use of the entity's eminent domain
21 authority under Title 27 or Title 66 of the Oklahoma Statutes. The
22 statement shall be made available to the public and written in plain
23 language designed to be easily understood by the average property
24 owner.

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

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

4 2. A bona fide good-faith effort to negotiate by the entity
5 proposing to acquire the property;

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

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

10 5. An appeal of a judgment in a condemnation proceeding,
11 including an appeal of an assessment of damages.

12 C. The statement shall include:

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

14 2. A description of:

15 a. the condemnation procedures provided by Title 27 of
16 the Oklahoma Statutes,

17 b. the condemning entity's obligations to the property
18 owner, and

19 c. the property owner's options during a condemnation,
20 including the property owner's right to object to and
21 appeal an amount of damages awarded.

22 SECTION 2. This act shall become effective November 1, 2011.

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