

An Act

ENROLLED HOUSE
BILL NO. 1562

By: Jordan and Key of the House

and

Treat, Marlatt, Shortey and
Brecheen of the Senate

An Act relating to eminent domain; directing Attorney General to prepare a Landowner's Bill of Rights; requiring certain notices and information to be included in Landowner's Bill of Rights; and providing for codification.

SUBJECT: Eminent domain

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 18 of Title 27, unless there is created a duplication in numbering, reads as follows:

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

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

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

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

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

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

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

C. The statement shall include:

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

2. A description of:

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

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

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

Passed the House of Representatives the 13th day of March, 2012.

Presiding Officer of the House of
Representatives

Passed the Senate the 23rd day of April, 2012.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Governor this _____
day of _____, 20____,
at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma the _____ day of
_____, 20____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this _____
_____ day of _____, 20____,
at _____ o'clock _____ M.

By: _____