

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   1st Session of the 53rd Legislature (2011)

4   COMMITTEE SUBSTITUTE  
5   FOR  
6   HOUSE BILL NO. 1562

                                  By: Jordan

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8                                   COMMITTEE SUBSTITUTE

9           An Act relating to eminent domain; directing Attorney  
10          General to prepare a Landowner's Bill of Rights;  
11          requiring certain notices and information to be  
12          included in Landowner's Bill of Rights; providing for  
13          codification; and providing an effective date.

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

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

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

1 language designed to be easily understood by the average property  
2 owner.

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

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

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

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

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

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

14 C. The statement shall include:

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

16 2. A description of:

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

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

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

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

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3 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 02-22-2011 - DO  
4 PASS, As Amended.  
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