

1 **SENATE FLOOR VERSION**

2 April 9, 2012

3 ENGROSSED HOUSE
4 BILL NO. 1562

By: Jordan and Key of the House

5 and

6 Treat, Marlatt and Shortey
7 of the Senate

8
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; and providing
13 for codification.

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 18 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
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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 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 4-3-12 - DO PASS,
As Coauthored.

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