

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   1st Session of the 54th Legislature (2013)

4   HOUSE BILL 2154

                                  By: McBride and Hickman

7                                   AS INTRODUCED

8                   An Act relating to eminent domain; amending 27 O.S.  
9                   2011, Section 16, which relates to just compensation;  
10                  requiring a minimum of equivalent terms when private  
                    and public property are being acquired for the same  
                    project; and providing an effective date.

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

14                   SECTION 1.           AMENDATORY           27 O.S. 2011, Section 16, is  
15                   amended to read as follows:

16                   Section 16.   A.   In every case wherein private property is taken  
17                   or damaged for public use, the person whose property is taken or  
18                   damaged shall be entitled to just compensation.

19                   B.   "Just compensation", as used in subsection A of this  
20                   section, shall mean the value of the property taken, and in  
21                   addition, any injury to any part of the property not taken. Any  
22                   special and direct benefits to the part of the property not taken  
23                   may be offset only against any injury to the property not taken. If  
24                   only a part of a tract is taken, just compensation shall be

1 ascertained by determining the difference between the fair market  
2 value of the whole tract immediately before the taking and the fair  
3 market value of that portion left remaining immediately after the  
4 taking.

5 C. When both private property and government-owned property are  
6 being acquired in the same project, the party exercising the right  
7 of eminent domain shall offer at least equivalent terms for the  
8 privately-owned property as offered for the government-owned  
9 property.

10 SECTION 2. This act shall become effective November 1, 2013.

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12 COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE AND WILDLIFE, dated  
13 02/20/2013 - DO PASS, As Coauthored.

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