

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 HOUSE BILL 2154

By: Hickman

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6 AS INTRODUCED

7 An Act relating to eminent domain; amending 27 O.S.
8 2011, Section 16, which relates to just compensation;
9 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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12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

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

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

1 value of the whole tract immediately before the taking and the fair
2 market value of that portion left remaining immediately after the
3 taking.

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

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

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11 54-1-6698 EK 01/17/13

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