

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 HOUSE BILL 2807

By: Moore

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7 AS INTRODUCED

8 An Act relating to property; creating the Oklahoma
9 Community Protection Act; defining term; prohibiting
10 adoption of policies that restrict private property
11 rights without due process; listing specific due
12 process elements; declaring certain changes be
13 subject to change; providing monies to be property of
14 political subdivision; nullifying private property
15 restrictions without due process; specifying damages
16 and attorney fees; providing for codification; and
17 providing an effective date.

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

19 SECTION 1. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 100 of Title 60, unless there is
21 created a duplication in numbering, reads as follows:

22 A. This section shall be known and may be cited as the
23 "Oklahoma Community Protection Act".

24 B. As used in the Oklahoma Community Protection Act, "political
subdivision" means any county, city, town, municipality, district,

1 public local entity, public-private partnership or any other public
2 entity of the state, a county, city, town or municipality.

3 C. The state or any political subdivision of the state shall
4 not adopt or implement policy recommendations that deliberately or
5 inadvertently infringe upon or restrict private property rights
6 without due process, including but not limited to notice, official
7 public hearings and a vote of the people, as may be required by
8 policy recommendations originating in or traceable to any
9 international or federal courts, laws, opinions, rulings,
10 regulations, codes, restrictions or executive orders. Any changes
11 made due to any international or federal actions shall not be
12 considered permanent and shall be subject to change. Any money
13 allocated, accepted, spent or promised shall be considered the
14 property of the affected political subdivision of the state and any
15 debt or commitment to an international or federal entity whereby the
16 citizens did not have the ability to exercise their constitutional
17 rights shall be considered null and void.

18 D. Any attempt to restrict private property rights without due
19 process of law shall be deemed null and void per the Oklahoma
20 Constitution and the United States Constitution. In the event any
21 court determines a property owner's constitutional rights have been
22 violated, damages shall be awarded in favor of the property owner at
23 an amount not less than ten times the property value as assessed in
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1 the previous year by the county assessor of the county in which the
2 property is located and treble attorney fees shall be awarded.

3 SECTION 2. This act shall become effective November 1, 2014.

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