

FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB361
Page 3 Section 5 Lines 9 1/2
Of the printed Bill
Of the Engrossed Bill

By adding a new Section 5 to the bill as follows: [See attached]

By renumbering the subsequent section;

And on Page 3, Line 10 by deleting "2015" and inserting in lieu thereof "2016".

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Lee Denney

Reading Clerk

1 "SECTION 5. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 57.1 of Title 66, unless there
3 is created a duplication in numbering, reads as follows:

4 A. If condemnation proceedings are filed against the owner of
5 any real property or interest therein over which any corporation
6 incorporated under the laws of this state may desire to locate its
7 pipeline, utility line or other transmission line, the owner may
8 file, at the time of the answer to the petition to appoint
9 commissioners, a request for judicial location exception to the
10 proposed location of the right-of-way through and over the property.

11 B. The respondent shall have fifteen (15) days to file a reply
12 after the answer and request for judicial location exception are
13 served.

14 C. Prior to appointing commissioners to inspect the property,
15 the court shall conduct a hearing to determine if an alternative
16 location for the right-of-way would be possible. In making this
17 judicial determination, the court shall consider the following:

18 1. Reasonable alternative locations or placements available for
19 the right-of-way;

20 2. Reasonable obstacles presented by the alternative locations
21 compared to the originally proposed location set forth in the
22 petition;

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1 3. Good-faith effort of the plaintiff in negotiating with the
2 property owner regarding the proposed location and any alternative
3 location; and

4 4. Topographical or historic aspects of the subject property."
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