

1 ENGROSSED HOUSE
2 BILL NO. 3089

By: Cockroft of the House

3 and

4 Jech of the Senate
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7 An Act relating to roads, bridges and ferries;
8 amending 69 O.S. 2011, Section 1707, which relates to
9 acquisition of land by the Oklahoma Turnpike
10 Authority; authorizing severance of groundwater
11 rights from surface rights subject to certain
12 requirement; providing that owner of groundwater
13 rights does not have right of access to acquired
14 surface rights; prohibiting certain acts without
15 written approval of the Authority; and providing an
16 effective date.

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

18 SECTION 1. AMENDATORY 69 O.S. 2011, Section 1707, is
19 amended to read as follows:

20 Section 1707. The Oklahoma Turnpike Authority is hereby
21 authorized and empowered to acquire by purchase, or condemnation,
22 land or such interest therein as in its discretion may be necessary
23 for the purpose of establishing, constructing, maintaining and
24 operating turnpike projects or relocation thereof, and facilities
necessary and incident thereto, or necessary in the restoration of
public or private property damaged or destroyed, including borrow
areas, detours, channel changes, concession areas, public or private

1 access roads, and deposits of rock, gravel, sand and other road
2 building material for use in turnpike construction and maintenance,
3 upon such terms and at such price as may be considered by it to be
4 reasonable and can be agreed upon between the Authority and the
5 owner thereof, and to take title thereto in the name of the
6 Authority, provided, that such right and title shall be limited to
7 the surface rights only and shall not include oil or other mineral
8 rights. Groundwater rights may be severed from surface rights, upon
9 the written request of the owner of land to be acquired; however, an
10 owner of groundwater rights shall not have a right of access to the
11 Authority's acquired surface rights. No person may construct,
12 maintain or operate any water well, drilling equipment or lines on
13 or under the surface acquired by the Authority without express
14 written approval of the Authority.

15 SECTION 2. This act shall become effective November 1, 2018.

16 Passed the House of Representatives the 14th day of March, 2018.

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19 Presiding Officer of the House
of Representatives

20 Passed the Senate the ____ day of _____, 2018.

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23 Presiding Officer of the Senate
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