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April 3, 2018

ENGROSSED HOUSE
BILL NO. 3089

By: Cockroft of the House

and

Jech of the Senate

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

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

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

Section 1707. The Oklahoma Turnpike Authority is hereby authorized and empowered to acquire by purchase, or condemnation, land or such interest therein as in its discretion may be necessary for the purpose of establishing, constructing, maintaining and 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

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

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

17 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION
18 April 3, 2018 - DO PASS
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