

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 HOUSE BILL 1722

By: Moore

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5
6 AS INTRODUCED

7 An Act relating to the United States; amending 80
8 O.S. 2011, Section 1, which relates to the state's
9 consent to acquisition of lands by the United States;
10 clarifying legislative consent; requiring
11 gubernatorial consent; and providing an effective
12 date.

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

14 SECTION 1. AMENDATORY 80 O.S. 2011, Section 1, is
15 amended to read as follows:

16 Section 1. A. The consent of this state is hereby given, in
17 accordance with Section 8 of Article I of the Constitution of the
18 United States, to the acquisition by the United States, by purchase,
19 condemnation or otherwise, of any land in this state required for
20 sites for custom houses, post offices, arsenals, forts, magazines,
21 dockyards, military reserves, irrigation or drainage projects,
22 municipal water facilities or for needful public buildings.

23 The consent of this state is also given to the acquisition of
24 land by the United States, by condemnation only with the consent of

1 the owner, or purchase, gift or exchange, for the purpose of
2 consolidation within existing boundaries of national forests within
3 this state.

4 B. Land outside of any incorporated municipality, which is
5 being considered for acquisition by the United States for any other
6 purpose, whether by fee or easement, may be acquired only after
7 consent of a majority of both houses of the Legislature of the State
8 of Oklahoma and the Governor.

9 C. Any land which has been classified as a wetland by the
10 Secretary of the Army and which is being considered for acquisition
11 by fee, over the objection of the landowner, may be acquired only
12 after consent of a majority of both houses of the Legislature of
13 this state and the Governor. Provided, the Oklahoma Department of
14 Transportation and the Oklahoma Turnpike Authority shall be exempt
15 from this requirement.

16 D. Any restricted use of land in this state as a result of the
17 classification of such land as a wetland by the Secretary of the
18 Army shall constitute an acquisition of an easement pursuant to the
19 provisions of this section and such easement, if over the objection
20 of the landowner, may be acquired only after approval of a wetlands
21 plan by a majority of both houses of the Legislature of this state
22 and the Governor which includes just compensation by the acquiring
23 authority.

SECTION 2. This act shall become effective November 1, 2017.

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