

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

SENATE BILL 1241

By: Bergstrom

AS INTRODUCED

An Act relating to oil and gas; designating certain circumstances that constitute a taking of property rights; providing exceptions; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 137.2 of Title 52, unless there is created a duplication in numbering, reads as follows:

A. It shall be considered a taking pursuant to Sections 23 and 24 of Article II of the Oklahoma Constitution and relevant statutes whenever a municipality, county or other political subdivision, other than the Corporation Commission, adopts or implements an ordinance, resolution, rule, regulation or other form of official policy concerning oil and gas operations that has the effect of:

1. Substantially interfering with the use and enjoyment of the mineral estate, as defined in Section 802 of Title 52 of the Oklahoma Statutes;

1 2. Imposing or enforcing a limitation that adversely impacts
2 the use and development of minerals; or

3 3. Prohibiting access to develop the mineral estate, thereby
4 substantially reducing the fair market value of the mineral estate.

5 B. The provisions of this section shall not apply to any
6 ordinance, resolution, rule, regulation or other form of official
7 policy adopted or implemented prior to December 31, 2014.

8 SECTION 2. This act shall become effective November 1, 2020.

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