

1 ENGROSSED HOUSE AMENDMENT
2 TO
3 ENGROSSED SENATE BILL NO. 724 By: Stewart of the Senate
4 and
5 Cantrell of the House
6
7 [roads and bridges - right-of-way - effective date]
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10 AMENDMENT NO. 1. Strike the stricken title, enacting clause, and
11 entire bill and insert:
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13 "An Act relating to roads and bridges; amending 69
14 O.S. 2021, Section 1208, which relates to structures
15 in right-of-way; clarifying county authority to
16 maintain right-of-way; making exception for companies
17 engaged in certain activities; and providing an
18 effective date.
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20 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
21 SECTION 1. AMENDATORY 69 O.S. 2021, Section 1208, is
22 amended to read as follows:
23 Section 1208. (a) The rights-of-way acquired by the Department
24 or a county shall be held inviolate for state highway ~~and,~~
departmental, or county purposes, and no physical or functional
encroachments or uses shall be permitted within such rights-of-way.

1 (b) It shall be unlawful for any person to construct, maintain
2 or operate any gasoline pump, driveway canopy, building, sign,
3 fence, post, or any thing or structure on or overhanging any right-
4 of-way, or upon or overhanging any street occupied by a designated
5 state or federal highway, or county roads and the construction or
6 maintaining of any such thing or structure on or overhanging any
7 federal or state highway or county roads shall constitute a public
8 nuisance, which may be summarily abated by the Commission or board
9 of county commissioners or its officers, agents, servants and
10 employees in the manner provided in this article.

11 (c) This section shall not apply to the lawful use of such
12 rights-of-way for the erection and operation of facilities of a
13 public utility, or companies engaged in the activities defined in
14 Section 137.1 of Title 52 of the Oklahoma Statutes.

15 SECTION 2. This act shall become effective November 1, 2023."
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1 Passed the House of Representatives the 27th day of April, 2023.

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4 Presiding Officer of the House of
Representatives
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6 Passed the Senate the ____ day of _____, 2023.

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9 Presiding Officer of the Senate
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1 ENGROSSED SENATE
2 BILL NO. 724

By: Stewart of the Senate

3 and

4 Cantrell of the House

5
6 [roads and bridges - right-of-way - effective date]
7

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

9 SECTION 3. AMENDATORY 69 O.S. 2021, Section 1208, is
10 amended to read as follows:

11 Section 1208. (a) The rights-of-way acquired by the Department
12 or a county shall be held inviolate for state highway ~~and,~~
13 departmental, or county purposes, and no physical or functional
14 encroachments or uses shall be permitted within such rights-of-way.

15 (b) It shall be unlawful for any person to construct, maintain
16 or operate any gasoline pump, driveway canopy, building, sign,
17 fence, post, or any thing or structure on or overhanging any right-
18 of-way, or upon or overhanging any street occupied by a designated
19 state or federal highway, or county roads and the construction or
20 maintaining of any such thing or structure on or overhanging any
21 federal or state highway or county roads shall constitute a public
22 nuisance, which may be summarily abated by the Commission or board
23 of county commissioners or its officers, agents, servants and
24 employees in the manner provided in this article.

(c) This section shall not apply to the lawful use of such rights-of-way for the erection and operation of facilities of a public utility.

SECTION 4. This act shall become effective November 1, 2023.

Passed the Senate the 20th day of March, 2023.

Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____,
2023.

Presiding Officer of the House
of Representatives