

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 ENGROSSED SENATE
5 BILL NO. 1997

 By: Murdock, Bullard, and
 Hamilton of the Senate

6 and

7 Newton and **Dobrinski** of the
8 House

9
10 An Act relating to the Uniform Conservation Easement
11 Act; amending 60 O.S. 2021, Section 49.3, which
12 relates to creation, conveyance, acceptance, and
13 duration; requiring disclosure of certain easement to
14 potential buyer; updating statutory reference; and
15 providing an effective date.

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

17 SECTION 1. AMENDATORY 60 O.S. 2021, Section 49.3, is
18 amended to read as follows:

19 Section 49.3.

20 CREATION, CONVEYANCE, ACCEPTANCE, AND DURATION

21 A. Except as otherwise provided in ~~this act~~ the Uniform
22 Conservation Easement Act, a conservation easement may be created,
23 conveyed, recorded, assigned, released, modified, terminated, or
24 otherwise altered or affected in the same manner as other
 easements~~;~~; provided~~,~~, however, nothing herein shall authorize any

1 entity or individual to obtain a conservation easement by
2 condemnation.

3 B. No right or duty in favor of or against a holder arises
4 under a conservation easement before its acceptance by the holder
5 and a recordation of the acceptance.

6 C. Except as provided in subsection B of Section 4 49.4 of this
7 ~~act~~ title, the term of a conservation easement shall be the term
8 stated in the instrument creating it.

9 D. An interest in real property in existence at the time a
10 conservation easement is created is not impaired by it unless the
11 owner of the interest is a party to the conservation easement or
12 consents to it.

13 E. An owner of real property burdened by a conservation
14 easement shall disclose the existence of such easement to any
15 potential buyer of the real property.

16 SECTION 2. This act shall become effective November 1, 2024.
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18 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY - CIVIL, dated
19 03/28/2024 - DO PASS, As Coauthored.
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