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February 13, 2024

SENATE BILL NO. 1997

By: Murdock and Bullard of the  
Senate

and

Newton of the House

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

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

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

Section 49.3.

## CREATION, CONVEYANCE, ACCEPTANCE, AND DURATION

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

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

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

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

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

14       SECTION 2. This act shall become effective November 1, 2024.

15 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY  
16 February 13, 2024 - DO PASS  
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